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TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

[MQ–603–Wheat, Sup. 1]

PART 728—WHEAT

MARKETING QUOTAS FOR THE 1942 CROP OF WHEAT

By virtue of the authority vested in the Secretary of Agriculture by Title III of the Agricultural Adjustment Act of 1938 (Public Law No. 430, 75th Congress, approved February 16, 1938; 52 Stat. 31; 7 U.S.C. 1940 ed. 1301 *et seq.*), as amended, and Public Law No. 74, 77th Congress, approved May 26, 1941, 55 Stat. 203, as amended by Public Laws Nos. 374 and 384, 77th Congress, approved December 26, 1941, 55 Stat. 860, 872, the regulations governing wheat marketing quotas for the 1942 crop of wheat (MQ–603–Wheat) are hereby amended as follows:

Section 728.349 [1] is amended to read as follows:

§ 728.349 *Rate of penalty.* The rate of penalty shall be 57 cents per bushel. The rate of penalty is 50 percent of the basic rate of loan on wheat for cooperators for the marketing year under section 302 of the Act and paragraph 10 of Public Law No. 74. The basic rate of the loan is $1.14 per bushel (par. 2).

Done at Washington, D. C., this 10th day of June 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 42–5471; Filed, June 11, 1942; 11:20 a. m.]

[Wheat–43–2]

PART 728—WHEAT [2]

TOTAL AND NORMAL SUPPLY, 1942–43 MARKETING YEAR—NATIONAL ACREAGE ALLOTMENT FOR 1943 CROP

Pursuant to the authority vested in the Secretary of Agriculture under sections 301 (b), 301 (c), 332, and 333 of the Agricultural Adjustment Act of 1938, as amended, (52 Stat. 39, 43, 53, 775; 53 Stat. 1125; 54 Stat. 727; 7 U.S.C. 1940 ed. 1301 (b), 1301 (c), 1332, 1333), I hereby find and proclaim that the total supply and normal supply of wheat for the 1942–43 marketing year and the national acreage allotment for the 1943 crop of wheat are as follows:

§ 728.401 *Total supply, normal supply, and 1943 national acreage allotment for wheat.* (a) The "total supply" of wheat for the marketing year commencing July 1, 1942, is 1,441 million bushels.

(b) The "normal supply" of wheat for the marketing year commencing July 1, 1942, is 851 million bushels.

(c) The national acreage allotment for the 1943 crop of wheat, if said act did not specify a minimum national allotment of 55 million acres, would have been less than such amount.

(d) The national acreage allotment for the 1943 crop of wheat is 55 million acres.

Done at Washington, D. C., this 10th day of June 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 42–5470; Filed, June 11, 1942; 11:20 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

[Vesting Order Number 21]

PART 502—VESTING ORDERS

VESTING OF PATENT OF I. G. FARBENINDUSTRIE A. G.

§ 502.21 *Vesting Order No. 21.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C.A. App. sec. 5 (b), as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong., 1st sess.)) and pursuant to Executive Order 9095, of March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of

[1] 7 F.R. 3284.
[2] Subpart E—1943.

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nationals of a foreign country designated in Executive Order No. 8389, as amended,[1] as defined therein, and that the action herein taken is in the public interest, hereby directs that such property shall be and the same hereby is vested in the Alien Property Custodian to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to United States Letters Patent No. 1,892,258, the title to which stands of record in the United States Patent Office in the name of I. G. Farbenindustrie Aktiengesellschaft.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian. (E.O. 9095, 7 F.R. 1971)

Executed at Washington, D. C. on June 9, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–5446; Filed, June 10, 1942; 4:15 p. m.]

[1] 6 F.R. 2897, 3715, 6348, 6785.

TITLE 10—ARMY: WAR DEPARTMENT

Chapter IV—Military Education

PART 45—AVIATION INSTRUCTION AT NON-FEDERAL ESTABLISHMENTS

TERMINATION OF STATUS AS STUDENT

Section 45.8 (b) is hereby amended to read as follows:

§ 45.8 *Termination of status as student.*[1] * * *

(b) If at any time a student enlisted man, other than an aviation cadet, is deemed unfitted for any reason to continue the course, the Army Air Forces supervisor will immediately relieve him as a student and report the facts to the Commanding General, Army Air Forces Technical Training Command. (53 Stat. 555; 10 U. S. C. 298a) [Par. 9*b*, AR 350–3500, Dec. 31, 1940, as amended by Cir. 166, W.D., May 30, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–5473; Filed, June 11, 1942; 11:26 a. m.]

[1] 6 F.R. 807.

Chapter V—Military Reservations and National Cemeteries

PART 54—EXCHANGES

INSTALLATION OF VENDING MACHINES

Paragraph (d) is hereby added to section 54.3, as follows:

§ 54.3 *Activities.*[1] * * *

(d) *Vending and amusement machines.* (1) Vending and amusement machines may be installed in posts, camps, and stations by—

(i) Outright purchase for cash, or on installment contract.

(ii) Rental purchase.

(iii) Loan by the vendor who retains ownership.

(2) The negotiating agency for procuring vending and amusement machines at posts, camps, and stations will normally be the exchange.

(3) All vending and amusement machines installed on the post will be under the control of the exchange except those installed in hospitals, service clubs, and messes operated under the provisions of AR 210–60,[2] for the benefit of the fund concerned, at the discretion of the post, camp, or station commanding officer, and except where specific War Department authority has been granted under the provisions of paragraph 8*a* (1), AR 210–50.[3]

(4) In establishing regulations for the installation and operation of vending and amusement machines, the post commander or the commanding officer of an exempted station will exercise due diligence to provide full protection of the exchange or other organization to insure a maximum profit and a minimum possibility of loss, including that of bottle loss for those machines dispensing merchandise in a returnable bottle.

(5) Vending machines will not be installed in permanent or cantonment type exchange buildings where personal service is available for the sale of the product.

(6) The installation of amusement machines which involve gambling is prohibited.

(7) The post commander or the commanding officer of an exempted station is charged with adequate protection against loss by pilferage or destruction when automatic vending machines of any type are installed. Sanitary provisions incident to the operation of automatic vending machines of any type should be anticipated and solved prior to the granting of authority for the installation of any machine. (R.S. 161; 5 U.S.C. 22) [Sec. I, Cir. 143, W.D., May 13, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–5474; Filed, June 11, 1942; 11:26 a. m.]

[1] 6 F.R. 3424, 5199.

[2] Administrative regulations of the War Department relative to post messes.

[3] Administrative regulations of the War Department relative to unit and other similar funds.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4422]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF THE THOMAS MANAGEMENT CORPORATION, ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.6 (y 10) *Advertising falsely or misleadingly—Scientific or other relevant facts.* In connection with offer, etc. of various cosmetic and medicinal preparations for external and internal use in the treatment of conditions of the hair and scalp, or any other similar preparations, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of their said preparations, which advertisements represent, directly or through inference, (1) that respondents' preparations constitute a cure or remedy for dandruff, or have therapeutic value in the treatment of dandruff scales; or are an effective treatment for any form of itching scalp in excess of affording temporary relief from the symptom of itching when such itching is not caused by systemic or constitutional conditions; (2) that dandruff is caused by the flask bacilli of Unna and that said preparations will destroy such germs; (3) that said preparations have therapeutic properties which are effective in inducing the growth of hair or in causing new hair to grow; (4) that the use of said preparations will prevent the abnormal loss of hair or induce a normal growth of hair on thin and bald spots; (5) that said preparations will prevent baldness, or are a cure or remedy for baldness, or have any effective therapeutic value in the treatment of baldness; and which advertisements represent, as aforesaid, (6) that respondents' preparations "Trichovita" and "Trichotone" supply elements essential to the growth of hair, or have any therapeutic value in stimulating the growth of hair; and (7) that said preparations "Trichovita" and "Trichotone" will rejuvenate the formative cells from which hair grows; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) [Cease and desist order, The Thomas Management Corporation, et al., Docket 4422, June 5, 1942]

In the Matter of The Thomas Management Corporation, a Corporation, and Paul A. Thomas, Sr., Catherine M. Thomas, Paul A. Thomas, Jr., and Norbert J. Thomas, Individually and as Officers of Said Corporation; Paul A. Thomas Trust, and Paul A. Thomas, Sr., Catherine M. Thomas, and Norbert J. Thomas, Individually and as Trustees of Said Trust; and Ruth Thomas and Madeline Thomas, Individuals

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of June, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of the respondents, testimony and other evidence taken before an examiner of the Commission theretofore duly designated by it, and a stipulation as to the facts entered into between counsel for the respondents herein and Richard P. Whiteley, Assistant Chief Counsel for the Commission, which provides, among other things, that without further evidence or other intervening procedure the Commission may issue and serve upon the respondents findings as to the facts and its conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents The Thomas Management Corporation, a corporation, and Paul A. Thomas, Sr., Catherine M. Thomas, Paul A. Thomas, Jr., and Norbert J. Thomas, individually and as officers of said corporation; Paul A. Thomas Trust, and Paul A. Thomas, Sr., Catherine M. Thomas, and Norbert J. Thomas, individually and as trustees of said trust; and Ruth Thomas and Madeline Thomas, individuals; jointly or severally, their representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of various cosmetic and medicinal preparations for external and internal use in the treatment of conditions of the hair and scalp, or any other preparations of substantially similar composition or possessing substantially similar properties, whether sold under the names now used or any other name or names, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated, by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or through inference:

(a) That respondents' preparations constitute a cure or remedy for dandruff, or have therapeutic value in the treatment of dandruff, in excess of the removal of dandruff scales; or are an effective treatment for any form of itching scalp in excess of affording temporary relief from the symptom of itching when such itching is not caused by systemic or constitutional conditions.

(b) That dandruff is caused by the flask bacilli of Unna and that said preparations will destroy such germs.

(c) That said preparations have therapeutic properties which are effective in inducing the growth of hair or in causing new hair to grow.

(d) That the use of said preparations will prevent the abnormal loss of hair or induce a normal growth of hair on thin and bald spots.

(e) That said preparations will prevent baldness, or are a cure or remedy for baldness, or have any effective therapeutic value in the treatment of baldness.

(f) That respondents' preparations "Trichovita" and "Trichotone" supply elements essential to the growth of hair, or have any therapeutic value in stimulating the growth of hair.

(g) That said preparations "Trichovita" and "Trichotone" will rejuvenate the formative cells from which hair grows.

2. Disseminating or causing to be disseminated, by any means, any advertisement for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of said preparations in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any of the representations prohibited in Paragraph 1 hereof.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-5462; Filed, June 11, 1942; 10:51 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

WITHDRAWAL FROM REGISTRATION BY A BROKER OR DEALER

The Securities and Exchange Commission, deeming it necessary for the exercise of the functions vested in it and necessary and appropriate in the public interest and for the protection of investors so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, as amended, particularly sections 15 (b) and 23 (a) thereof, hereby adopts the following rule:

§ 240.15b–6 *Withdrawal from registration.* If a notice to withdraw from registration is filed by a broker or dealer pursuant to section 15 (b), (Sec. 15, 48 Stat. 895; sec. 3, 49 Stat. 1377; 15 U.S.C. 78o) it shall become effective on the thirtieth day after the filing thereof with the Commission, unless prior to its effective date the Commission institutes a proceeding pursuant to section 15 (b) to revoke or suspend the registration of such broker or dealer or to impose terms and conditions upon such withdrawal. If the Commission institutes such a proceeding, or if a notice to withdraw from registration is filed with the Commission at any time subsequent to the date of the issuance of a Commission order instituting proceedings pursuant to section 15 (b) to revoke or suspend the registration of the broker or dealer filing such notice, and during the pendency of such a proceeding, the notice to withdraw shall not become effective except at such time and upon such terms and conditions as the Commission deems necessary or appropriate in the public interest or for the protection of investors. [Rule X-15B–6, effective June 9, 1942] (Sec. 15, 48 Stat. 895; sec. 3, 49 Stat. 1377; 15 U.S.C. 780; sec. 23, 48 Stat. 901; sec. 8, 49 Stat. 1379; 15 U.S.C. 78w)

By the Commission.

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-5457; Filed, June 11, 1942; 9:11 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

[T.D. 5154]

Subchapter C—Miscellaneous Excise Taxes

PART 322—TAX UPON THE USE OF MOTOR VEHICLES AND BOATS

MOTOR VEHICLE STAMPS

Regulations 72 (1942 Edition) [Part 322,[1] Title 26, Code of Federal Regulations, 1942 Supp.], approved February 17, 1942, relating to the tax upon the use of motor vehicles and boats under Chapter 33A of the Internal Revenue Code, as added by section 557 of the Revenue Act of 1941, are hereby amended as follows:

Paragraph (a) of § 322.21 [2] is amended to read as follows:

§ 322.21 *Purchase of stamps*—(a) *Motor vehicle stamps.* Stamps evidencing the payment of the tax on the use of motor vehicles may be purchased at the office of any collector of internal revenue or at any post office in the United States, except that stamps for less than a full fiscal year are not available at post offices of the third and fourth classes unless such post offices are located at county seats. Stamps may be purchased by mail but only from collectors of internal revenue. In such case a letter should be addressed to the collector, accompanied by money order, certified check, or cash for the value of the stamp. No order form or application blank is necessary and detailed information concerning the motor vehicle for which the stamp is desired is not required. (Sec. 3791 I. R. C.; 53 Stat. 467; 26 U.S.C., 3791)

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: June 9, 1942.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 42-5437; Filed, June 10, 1942; 3:14 p. m.]

[1] Subpart D—Administrative and Other General Provisions.

[2] 7 F.R. 1082.

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

[Docket No. A-1354 Part II]

P & G COAL CO.—DISTRICT BOARD NO. 1

Findings of fact, conclusions of law, memorandum opinion and order of the Acting Director in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of the Oak Valley Mine (Mine Index No. 3453) and the Holden Mine (Mine Index No. 3454) of the P & G Coal Company for all shipments except truck and for truck shipments.

This proceeding was instituted upon an original petition filed by District Board No. 1 with the Bituminous Coal Division on March 14, 1942, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. The petition proposed the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1, including the coals of the Oak Valley Mine (Mine Index No. 3453) and the Holden Mine (Mine Index No. 3454) of the P & G Coal Company.

On April 11, 1942, 7 F.R. 3026, the Acting Director issued an order establishing temporary and conditionally final prices for the coals of all the mines, except those of the Oak Valley Mine and the Holden Mine, for which lower price classifications and minimum prices were proposed than those established for coals produced by other mines operating in the same seam and subdistrict.

On April 11, 1942, 7 F.R. 2872, the Acting Director issued an order severing from Docket No. A-1354 and designating as Docket No. A-1354 Part II that portion of the docket relating to the establishment of price classifications and minimum prices for the coals in Size Groups 1 to 5, inclusive, of the Oak Valley Mine and the Holden Mine. The order established temporary price classifications and minimum prices for these coals for all shipments except truck and for truck shipments, which conformed with those established for other coals produced in the same seam.

Pursuant to the order of April 11, 1942, and after due notice to all interested parties, a hearing was held on May 6, 1942, before Charles O. Fowler, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. The original petitioner, District Board No. 1, P & G Coal Company, and District Board No. 2, intervener, appeared at the hearing. The preparation and filing of a report by the Examiner were waived, and the record was thereupon submitted to the Acting Director.

The petition proposed for the coals in Size Groups 1 to 5, inclusive, of the Oak Valley Mine and the Holden Mine the establishment of price classifications "H", "H", "H", "J", and "J", respectively,

for all shipments except truck, and minimum prices of 235, 210, 210, 195, and 185 cents per net ton, respectively, for truck shipments. The order of April 11, 1942 established a temporary price classification of "G" for all five size groups for rail shipments and minimum prices of 240, 215, 215, 205, and 195 cents per net ton, respectively, for truck shipments. District Board No. 1 alleged that the prices, as proposed, were proper; P & G Coal Company contended that it could not move its coal at the temporary classification.

The Holden and Oak Valley Mines operate in adjoining tracts in the A' Seam of Subdistrict No. 1 and are the only mines in this seam which are located south and east of the Clarion River. Other mines operating in this seam are north and west of the Clarion River, at a distance of approximately 13 miles from the two mines. These mines are also adjacent to strip mines operating in the "B" Seam.

The representative of District Board No. 1 testified that there is a break in the character of the A' Seam and that the coals of the Oak Valley and Holden Mines are inferior to those produced by the mines lying to the north of the Clarion.

Analyses were introduced comparing the coals of the Holden Mine with those of three other A' Seam mines, from which it appeared that the coals of the Holden Mine have higher ash and sulphur contents than the other coals.[1] Analyses of the coals of the Oak Valley Mine were not introduced, since the mine was not yet in operation at the time the analyses were taken. However, the two mines adjoin each other and it appears that the coals are of similar quality.

The representative of District Board No. 1 further testified that there are no other adjacent mines in the A' Seam producing coal of similar quality to that of the coals in question. It also appeared that the coals in question are inferior to coals produced by adjacent strip mines operating in the "B" Seam, which are involved in Dockets Nos. A–63 through A–68.

The mines will use loading facilities located at the nearby "B" Seam mines of the P & G Coal Company; however, the coals will not be mixed with those produced at the "B" Seam mines. The coals from the Oak Valley Mine will move over the New York Central Railroad and the coals of the Holden Mine over the L. E. F. & C. Railroad, and will probably follow the general movement of District 1 coals to the Lakes and to the East; there seems to be little likelihood that these coals will move by truck. Although coals from the Holden Mine may move into Erie in competition with the District 2 coals at a lower freight rate than the District 2 coals, it does not appear that District 1 coals have in the past been truly competitive in this market area.

The coal recoverable from the two mines is approximately 200,000 tons; the P & G Coal Company expects to load at a rate of approximately 500 tons a day. Since operations began, about 2,900 tons were produced at the Holden Mine; no coal was produced at the Oak Valley Mine. The coal mined at the Holden Mine was used to fill some emergency orders prior to the time temporary prices were established. Since then, P & G Coal Company has been unable to move any coal at the temporary "G" classification, despite attempts of its sales agent to market the coals.

Upon the basis of the record, I find and conclude that the coals of the Holden and the Oak Valley Mines are inferior to other coals produced in the A' Seam and that the temporary classifications and minimum prices established are too high and should be modified. I further find that the lower classifications and minimum prices requested by petitioner will not adversely affect the competitive opportunities of District 2 coals.

The establishment of the classifications and minimum prices requested is proper and will effectuate the purposes of sections 4 II (a) and 4 II (b) of the Act and will comply with all the standards therein.

Now, therefore, it is ordered, That § 321.7 (*Alphabetical list of code members*) in the Schedule of Effective Minimum Prices for District No. 1, For All Shipments Except Truck, and § 321.24 (*General prices*) in the Schedule of Effective Minimum Prices for District No. 1, for Truck Shipments, be, and they hereby are, amended in accordance with the classifications and minimum prices set forth in Supplements R and T, which are annexed hereto and made a part hereof.

Dated: May 30, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members*—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Subdistrict No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
3454	P & G Coal Company (A. D. Grasso).	Holden (Strip)	1	A'	Holden, Pa.	LEF&C	31	H	H	H	J	J
3453	P & G Coal Company (A. D. Grasso).	Oak Valley (Strip)	1	A'	Sutton, Pa.	NYC	30	H	H	H	J	J

FOR TRUCK SHIPMENTS

§ 321.24 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Sub-district No.	County	Seam	All lump coal double screened top size 2" and over	Double screened top Size 2" and under	Run of mine modified R/M	2" and under slack	¾" and under slack
						1	2	3	4	5
P & G Coal Company (A. D. Grasso).	3454	Holden (Strip)	1	Clarion	A'	235	210	210	195	185
P & G Coal Company (A. D. Grasso).	3453	Oak Valley (Strip)	1	Clarion	A'	235	210	210	195	185

[F. R. Doc. 42–5424; Filed, June 10, 1942; 10:41 a. m.]

[Docket No. A–1085]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

BUFFALO EAGLE MINES, INC.

Memorandum opinion and order approving and adopting the proposed findings of fact and proposed conclusions of law of the Examiner and granting relief in part in the matter of the petition of District Board No. 8 for a temporary and permanent order changing the classification of coals produced at Riley No. 1 and No. 2 mines (Mine Index Nos. 666 and 667) of Buffalo Eagle Mines, Incorporated, a code member in subdistrict No. 5 in District No. 8

[1] It should be noted that the analytical data submitted compared 1¼" × 0, +1¼" and run of mine coals of three A' Seam mines with the 2" × 0 and 8" × 2" coals of Holden Mine, although the witness testified from memory as to the analytical quality of plus 2" and minus 2" coals of a fourth mine.

for rail shipment, from "F" to "G" in Size Groups 18 to 21, inclusive, and from "K" to "L" in Size Group 22.

This proceeding was instituted upon an original petition, filed on September 26, 1941, with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, by District Board 8, requesting and proposing a revision of the classification of coals produced at Riley No. 1 and No. 2 Mines (Mine Index Nos. 666 and 667, respectively) of Buffalo Eagle Mines, Incorporated, from "F" to "G" in Size Groups 18 to 21, inclusive, and from "K" to "L" in Size Group 22, for shipment by rail.

Petitions of intervention were filed by Hutchinson Coal Company and Island Creek Coal Company, code member producers in District 8, and by District Boards 2 and 6. District Board 2 prayed that no relief be granted to the original petitioner which would in any way adversely affect the fair competitive opportunities of code member producers in District 2, and that no order be entered herein which would unjustifiably disturb the effective coordination of prices applicable to coals of the code member producers of District 2. Hutchinson Coal Company prayed that if the relief requested by the original petitioner be granted, it be granted similar relief, by reduction in the price classification of Size Groups 18 to 21, inclusive, of the coals of its MacBeth and Dabney Mine (Mine Index Nos. 304 and 150, respectively) from "E" to "F."

Pursuant to Order of the Director, a hearing in this matter was held on November 6, 1941, before D. C. McCurtain, a duly designated Examiner of the Division at a hearing room thereof in Washington, D. C. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. Appearances were entered for the petitioner, District Board 8 and for the intervenors, Hutchinson Coal Company and District Boards 2 and 6. Island Creek Coal Company did not appear.

On February 10, 1942, District Board 8 filed a Motion to File Memorandum Brief, stating that after consideration of certain analyses of the Dabney and MacBeth Mines, which were received by it on November 6, 1941, the date of the hearing, it was now able to assume a position on the petition of intervention filed by Hutchinson Coal Company, and that it believed the relief requested therein should be granted. The analyses referred to had been read into the record of the hearing. On February 23, 1942, Amherst Coal Company and Logan County Coal Corporation, code members in District 8, filed a Joint Petition of Intervention and Motion for Denial in which they sought to intervene and in which they opposed the motion of District Board 8 to reduce the classification of the coals produced by Hutchinson Coal Company from its Dabney and MacBeth Mines from "E" to "F".

Thereafter, the Examiner made his Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendations, dated March 12, 1942, in which he recommended that the Schedule of Effective Minimum Prices for District No. 8 for All Shipments Except Truck (High Volatile), for destinations other than the great lakes, and for great lakes cargo only, be amended by establishing for the coals produced at the Riley No. 1 Mine (Mine Index No. 666) and the Riley No. 2 Mine (Mine Index No. 667) of Buffalo Eagle Mines, Incorporated, price classification "G" in lieu of price classifications "F" in Size Groups 18 to 21, inclusive, and price classification "L" in lieu of price classification "K" in Size Group 22; but that the prayers for relief contained in the several petitions of the intervenors be denied. On April 3, 1942, exceptions to that part of the Examiner's Report concerning its intervening petition were filed by Hutchinson Coal Company.[1] On April 10, 1942, District Board 8 joined in and supported the Hutchinson exceptions.

In his Report, the Examiner found that the intervenor, Hutchinson Coal Company offered no direct evidence to prove its contention that if the relief requested by the original petitioner were granted then the price classification of coals of its MacBeth and Dabney Mines should be reduced from "E" to "F" in Size Groups 18 to 21, inclusive. The Examiner found further that Hutchinson Coal Company sought to prove that contention by the cross-examination of witnesses, and that the evidence adduced by this cross-examination was insufficient to support findings in accordance therewith.

The Hutchinson Coal Company contends that the Examiner's recommendation that its prayer for relief be denied is contrary to the weight of the evidence in support of that prayer, and that the Examiner made no findings thereon. The Hutchinson Coal Company states, that its coals, originally classified on a basis of 13,900 B. t. u., as received, per pound have deteriorated, and claims that analytical comparisons with competing coals, such as those of the Riley Mines of Buffalo Eagle Mines, Incorporated, show that the Hutchinson mines should be classified as "G", certainly not less than "F". Hutchinson also cites testimony of the witness Riley for District Board 8 to the effect that the nut and slack coals of the Riley No. 1 and No. 2 Mines of Buffalo Eagle Mines, Incorporated, compete with intervenor's coals and could compete upon a fair basis with such coals at an "F" classification; the position of District Board 8 in its Memorandum Brief of February 10, 1942,[2] and the pleadings and findings in Docket A–529 of which the Examiner took judicial notice.[3]

I find that analyses submitted by District Board 8 of the Dabney Mine nut and slack samples taken October 31, 1941, show a B. t. u. as received of 13,581 per pound and of samples taken November 1, 1941, show B. t. u. as received of 13,359 per pound, and that analyses submitted by District Board 8 of the MacBeth Mine nut and slack samples taken October 31, 1941, show a B. t. u. as received of 13,368 per pound and of samples taken November 1, 1941, show a B. t. u. as received of 13,383 per pound. I find further that analyses submitted by District Board 8 of the Riley No. 1 Mine 2'' x 0 samples taken March 21, 1941, show a B. t. u. as received of 13,690 and of samples taken April 15, 1941, show a B. t. u. as received of 13,200, and that analyses submitted by District Board 8 of the Riley No. 2 Mine 2'' x 0 samples taken on January 7, 1941, show a B. t. u. as received of 13,890, and of samples taken March 5, 1941, show a B. t. u. as received of 13,760. I find further that the witness Riley, appearing on behalf of District Board 8, original petitioner, testified that he thought that the coals of the Riley No. 1 and No. 2 Mines could compete upon a fair basis with MacBeth and Dabney nut and slack coals classified "F".

However, it does not appear to the undersigned that such new analytical evidence and the opinion of the operator of two competing mines, brought for-

[1] Hutchinson also requested the opportunity to present oral argument in support of its exceptions. I believe that the matter has been adequately treated in the papers filed and that little is to be gained by oral argument. I, therefore, deny the request for oral argument.

[2] Hutchinson Coal Company contends that the Joint Petition of Intervention and Motion for Denial of Amherst Coal Company and Logan County Coal Corporation was not served upon the original or intervening petitioners and should not be considered. An affidavit of service attached to the Joint Petition of Intervention and Motion for Denial certifies to service, *inter alia*, upon all code members in District 8, operating mines in Freight Origin Group No. 150, which includes Hutchinson Coal Company. I believe that the joint petition is relevant and have therefore considered it.

[3] Docket No. A–529 was a proceeding instituted upon petition of District Board 8, requesting a reduction from "D" to "E" of the classification of the coals of the Dabney and MacBeth Mines in Size Groups 18 to 21. Hutchinson Coal Company intervened there, claiming that the reduction should be an "F" classification. The Director issued an Order reducing the classification of these coals from "D" to "E" for shipment to all destinations, instead of to "F" as prayed by Hutchinson. Thereafter, the Acting Director issued an Order denying the motion of Hutchinson Coal Company seeking a modification of the Director's Order. In his Order, the Acting Director pointed out that if it should appear to Hutchinson Coal Company from its additional market experience subsequent to the hearing in Docket No. A–529, the burning characteristics, and further complete analyses of its coals, and other pertinent factors, they are still improperly classified, the remedy provided by Section 4 II (d) of the Act will then be open.

ward on cross-examination, is sufficient to sustain the relief sought by Hutchinson in its intervening petition. I pointed out in my Memorandum Opinion and Order Denying Further Relief after Reconsideration in Docket No. A–529, dated December 4, 1941, 6 F.R. 6287, that if it shall appear to Hutchinson from its additional market experience subsequent to the hearing there, the burning characteristics as well as further complete analyses of its coals, and other pertinent factors that the coals of the Dabney and MacBeth Mines are still improperly classified, the remedy provided by section 4 II (d) of the Act will then be open to it. Insufficient evidence on all these factors was presented here. The necessity for more probative evidence than was offered by Hutchinson in the record in this proceeding is made even more imperative by the strong opposition to its intervening petition by Amherst Coal Company and Logan County Coal Corporation. Having found that the record supports the Examiner's finding, to the effect that the evidence adduced by Hutchinson was insufficient to support its intervening petition, I must deny Hutchinson's exceptions to the Examiner's Report.

No exceptions or supporting briefs have been filed to the Examiner's Report insofar as it concerns rail shipments of the coals of the Riley No. 1 and No. 2 Mines of Buffalo Eagle Mines, Incorporated, in Size Groups 18 to 22.

After a review of the record and upon the basis of the foregoing, I find that the proposed findings of fact and proposed conclusions of law of the Examiner are proper and should be adopted as the findings of fact and conclusions of law of the undersigned:

Now, therefore, it is ordered, That the proposed findings of fact and proposed conclusions of law of the Examiner, be, and they hereby are, approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That § 328.11 (*Alphabetical list of code members*) in the Schedule of Effective Minimum Prices for District No. 8 for All Shipments Except Truck (High Volatile), be and it, hereby is amended by establishing for the coals produced at the Riley No. 1 Mine (Mine Index No. 666) and the Riley No. 2 Mine (Mine Index No. 667) of Buffalo Eagle Mines, Incorporated, price classification "G" in lieu of price classification "F" in Size Groups 18 to 21, inclusive, and price classification "L" in lieu of price classification "K" in Size Group 22 for shipments to destinations other than the great lakes, and for great lakes cargo only.

It is further ordered, That the prayers for relief contained in the several petitions of the intervenors be, and they hereby are, denied.

Dated: June 10, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–5477; Filed, June 11, 1942; 11:39 a. m.]

[Docket Nos. A–153 and A–186]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

SHERWOOD-TEMPLETON COAL CO. AND MAUMEE COLLIERIES CO.

Order approving and adopting proposed findings of fact and proposed conclusions of law of the Examiner, and granting relief in the matter of the petition of Sherwood-Templeton Coal Company for revision of the effective minimum prices of Mine Index No. 108, in District No. 11, for washed industrial sizes, and in the matter of the petition of the Maumee Collieries Company for revision of the effective minimum prices for Mine Index No. 102, in District No. 11, for washed screenings sizes.

This consolidated proceeding was instituted upon original petitions filed with the Bituminous Coal Division by Sherwood-Templeton Coal Company (Docket No. A–153) on October 15, 1940, and by Maumee Collieries Company (Docket No. A–186) on October 19, 1940, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. In Docket No. A–153, the petition, as amended, requests a reduction of 25 cents per ton in the effective minimum prices established for the washed screenings (Size Groups 23 and 24) produced at the Friar Tuck No. 5 Mine (Mine Index No. 108), of Sherwood-Templeton Coal Company for shipment into Market Area 29 (Chicago, Illinois) and into those market areas comprising the State of Indiana. In Docket No. A–186, the petition, as amended, requests a similar reduction in the effective minimum prices established for the washed screenings produced at the No. 25 Ayrdale Mine (Mine Index No. 102) of Maumee Collieries Company for shipment into Market Area 29 and the market areas within Indiana. Petitions of intervention and answers in both dockets were filed by the Black Hawk Coal Corporation, a code member in District No. 11, moving that the petitions be dismissed. Petitions of intervention, entered in both dockets by the Snow Hill Corporation, a code member in District No. 11, requesting that any relief granted be made effective for the coals produced at its mines in District No. 11 were subsequently withdrawn. A petition of intervention filed on behalf of the Old Ben Coal Corporation, Bell & Zoller Coal and Mining Company, Chicago, Wilmington and Franklin Coal Company, Franklin County Coal Corporation, Peabody Coal Company and Wasson Coal Company requested that the relief sought be denied. Petitions of intervention were also filed by the Bituminous Coal Producers Boards for District No. 10 and for District No. 11. The Consumers' Counsel Division[1] filed a notice of appearance.

Pursuant to the request for temporary relief in the petition in Docket No. A–153, an informal conference was held on October 23, 1940, pursuant to § 301.106 (a) in Part 301, Rules of Practice of Procedure. By order of the Director dated November 2, 1940, 5 F.R. 4396, temporary relief was granted as requested in the original petition. An informal conference regarding the temporary relief sought by the petition in Docket No. A–186 was held on October 24, 1940. By order dated November 8, 1940, 5 F.R. 4491, temporary relief was granted to the extent of a 15-cent reduction in the minimum prices established for the washed screenings of the Ayrdale Mine for shipment into the market areas requested. After another informal conference, held on December 19, 1940, the Order of November 8, 1940, was modified by Order dated December 27, 1940, 5 F.R. 5296, and temporary relief was granted as prayed for in the original petition.

After notice to interested persons, consolidated hearings in these matters were held on February 7 and 8, 1941, in Washington, D. C., and on July 30 and 31, and August 1, 1941, in Chicago, Illinois, before W. A. Shipman, a duly designated Examiner of the Division. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. At the hearing held in Washington, D. C., appearances were entered on behalf of the original petitioners, the Old Ben Coal Corporation, et al, the Republic Coal and Coke Company and District Board No. 10. At the subsequent hearing in Chicago, Illinois, the original petitioners and District Board No. 10 appeared. Both the original petitioners filed briefs in support of the requested relief, and District Board No. 10 has filed a brief opposing the granting of such relief. District Board No. 11 did not appear at the hearings but it has signified its willingness that the requested relief be given.

Examiner Shipman submitted on April 18, 1942, his Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation. The Examiner recommended that the relief asked for in the two dockets be granted. He found that the washed screenings produced at the Friar Tuck and Ayrdale Mines "cannot compete with other coals of District 11 if priced the same as" other Standard Fifth Vein coals of that district. The Examiner found that, due primarily to the peculiarly bulky character of the ash content and the high ignition temperature of the coals produced at the two mines involved, the Friar Tuck and Ayrdale washed screenings have proved "to be unsatisfactory in many plants whereas other Fifth Vein raw and washed coals have been and are now being used with success." The Examiner found that there was no indication that the quality of these coals would improve, and indeed Ayrdale screenings have on an average declined in quality since November 1940. Moreover, Examiner Shipman found that, before the granting of temporary relief in this proceeding, these coals "were virtually excluded from the market, and since the granting of temporary relief they have been unable to gain the position in the market that they had held prior to the establishment of minimum prices."

[1] Now the Office of the Bituminous Coal Consumers' Counsel.

Petitioners have made an adequate showing of need for relief. The requested revision in the effective prices for Friar Tuck and Ayrdale washed screenings will serve to reflect more accurately the relative market values of these coals.

An opportunity was afforded all parties to file exceptions to the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation of the Examiner and supporting briefs. No exceptions or supporting briefs have been filed.

The undersigned has determined that the proposed findings of fact and the proposed conclusions of law of the Examiner in these matters should be approved and adopted as the findings of fact and conclusions of law of the undersigned.

Now, therefore, it is ordered, That the said proposed findings of fact and proposed conclusions of law of the Examiner be, and they hereby are, approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That, commencing fifteen (15) days from the date of this Order, § 331.8 (*General prices*) in the Schedule of Effective Minimum Prices for District No. 11 For All Shipments Except Truck should be, and it hereby is, amended by reducing by 25 cents per ton the minimum prices presently effective for the coals produced at the Friar Tuck Mine (Mine Index No. 108) of the Sherwood-Templeton Coal Company, and the Ayrdale Mine (Mine Index No. 102) of the Maumee Collieries Company, in Size Groups 23 and 24 for shipment into Market Areas 22 to 34 inclusive.

Dated: June 10, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-5478; Filed, June 11, 1942; 11:40 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 86]

NOTICE OF CONTINUANCE OF CLASSIFICATION ON APPEAL

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 58 "Notice of Continuance of Classification on Appeal,"[1] effective immediately upon the filing hereof with the Division of the Federal Register. The supply of original DSS Form 58 on hand will be used until exhausted.

The foregoing revision shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,
Director.

APRIL 13, 1942.

[F. R. Doc. 42-5465; Filed, June 11, 1942; 11:12 a. m.]

[No. 87]

BOARD OF APPEAL ACTION REPORT

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 103, entitled "Board of Appeal Action Report,"[1] effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing addition shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,
Director.

MAY 26, 1942.

[F. R. Doc. 42-5466; Filed, June 11, 1942; 11:12 a. m.]

Chapter IX—War Production Board

Subchapter B—Division of Industry Operations

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 3 As Amended June 10, 1942]

UNIFORM METHOD OF APPLICATION AND EXTENSION OF PREFERENCE RATINGS

Section 944.23, Priorities Regulation No. 3,[2] is hereby amended to read as follows:

§ 944.23 *Priorities Regulation No. 3*—(a) *Definitions.* For the purposes of this regulation:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(3) "Assignment" of a preference rating means the granting to any person, by order or certificate issued by or under the authority of the Director of Industry Operations, of the right to use such rating.

(4) "Application" of a preference rating means the use of the rating by the person to whom it is initially assigned by or under the authority of the Director of Industry Operations.

(5) "Extension" of a preference rating means the use of the rating by any person to whom it is applied or extended by another person.

(b) *General provisions.* (1) Except to the extent otherwise provided in Priorities Regulation No. 11 (§ 944.32)[3] with respect to persons required to qualify under the Production Requirements Plan, any person may apply a preference rating assigned to him by any preference rating certificate or preference rating order issued to him in his name or as one of a class, and any person may extend any rating which has been applied or extended to deliveries to be made by him, subject to the provisions of this regulation.

(2) Preference ratings may be applied by the person to whom they are assigned only to the specific quantities and kinds of material authorized, or to the minimum required amounts of material when no specific quantities are authorized. Ratings which have been applied or extended by others to deliveries to be made by a person may, subject to the provisions of this regulation, be extended by such person in order to obtain not more than the same amount and kind of material (except as specified in paragraph (c) (2) of this regulation) which he has delivered or is required to deliver pursuant to such ratings.

(3) No person shall duplicate, in whole or in part, purchase orders which he has placed with one or more suppliers for delivery of material to which he has applied or extended a rating, in such manner that the amount of the material ordered exceeds the amount to which he is authorized to apply or extend the rating, even though he intends to cancel or reduce his purchase orders to the authorized amount prior to completion of delivery.

(c) *Extension of ratings.* The following provisions shall be applicable to all extensions of preference ratings notwithstanding any inconsistent provisions of the preference rating certificate or preference rating order assigning the rating:

(1) Except as permitted in subparagraph (2) of this paragraph (c), no preference ratings may be extended to the delivery of any material *except:*

(i) Material which will itself be delivered by the person extending the rating on a delivery bearing the rating which is being extended, or which will be physically incorporated into material to be so delivered, or

(ii) Material which is required to replace in inventory material so delivered. Material shall not be deemed to be so required if the delivery can be made and a practicable working minimum inventory of such material still retained; and if, in making delivery, the inventory is reduced below such minimum, the rating may be extended to replace such material only to the extent necessary to restore the inventory to such minimum:

[1] Filed as part of the original document.

[2] 7 F.R. 250, 1566.

[3] Infra.

Provided, however, That the material ordered for replacement must be substantially the same as the material replaced, subject only to minor variations in size, shape or design or substitutions of less scarce materials, which, in any case, do not substantially alter the purpose for which the same is to be used: *And provided further,* That any person who can fill out of finished inventory a purchase order bearing a rating of A–1–a or higher can only extend the same as a rating of A–1–b for purposes of replacing in his inventory material so delivered.

(2) In addition, any person may extend a rating to deliveries of operating supplies (including lubricants, catalysts, abrasives and small perishable tools) which are actually required and will be consumed by him in physically processing other material to the delivery of which he has extended the same rating, provided that:

(i) The receipts or withdrawals of such person from inventory during the most recent calendar quarter or his anticipated receipts or withdrawals from inventory during the current or next succeeding calendar quarter of metals in the forms included on the Metals List attached to Priorities Regulation No. 11 (§ 944.32) do not aggregate $5,000 or more in value;

(ii) The cost of the operating supplies to which he extends the rating does not exceed ten percent of the cost of the particular materials to be processed therewith, and to which he extends the same rating; and

(iii) Not more than twenty-five percent by value of the operating supplies so rated in any calendar month are metals in any of the forms listed in said Metals List.

(d) *Method of application or extension.* (1) Any person authorized to apply or extend preference ratings may do so by endorsing on, or attaching to, each contract or purchase order placed by him to which the rating is to be applied or extended, a certification in the following form signed manually or as provided in Priorities Regulation No. 7 (§ 944.27 [3]) by an official duly authorized for such purpose:

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this purchase order, and that such application or extension is in accordance with Priorities Regulation No. 3 as amended, with the terms of which the undersigned is familiar.

(Name of purchaser)

(Address)

By ---
(Signature and title of duly authorized officer)

(Date)

The person receiving the certification and rating shall be entitled to rely on such representation, unless he knows or has reason to believe it to be false. Each person applying or extending ratings must maintain at his regular place of business all documents, including purchase orders and preference rating orders and certificates, upon which he relies as entitling him to apply or extend such ratings, segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection.

(2) Such certification may be used in lieu of any other form of certification required by the terms of any regulation, preference rating order or preference rating certificate (including, without limitation, the instructions accompanying Forms PD–1A, PD–3A and PD–25A) as a means of applying or extending a preference rating and in lieu of furnishing any copy of any preference rating order required thereby; except that the provisions of Priorities Regulation No. 9 (§ 944.30 [4]) with respect to the method of *applying* (but not *extending*) preference ratings covering certain types of exports must be complied with when ratings are applied pursuant to that regulation.

(3) Notwithstanding the requirements of any applicable preference rating order or certificate,

(i) Ratings of different grades and ratings assigned by different preference rating certificates or orders may be extended to different items ordered in a single purchase order, provided that the amount of each material to which a particular rating is applied is shown as a separate item on the purchase order and is not merely indicated by a percentage figure; or the purchaser may extend to all items on the purchase order, to which he is entitled to extend any rating, the lowest rating which he is entitled to extend to any of such items; and

(ii) A person may defer extending any rating for a period of not more than three months after he becomes entitled to extend the same.

(4) In addition to complying with the foregoing requirements of this paragraph (d), any person applying or extending a preference rating shall include on his purchase order or contract identification symbols as required by Priorities Regulation No. 10 (§ 944.31) [5] and such other information (except designation of the number or serial number of the preference rating certificate or preference rating order assigning the rating) as may be required by the terms of any applicable order of the Director of Industry Operations and which the person placing the purchase order is able to furnish.

(e) *Applicability of other restrictions.* Except as expressly otherwise provided in paragraphs (c) and (d) of this Regulation, the application or extension of any rating shall also be subject to any applicable restrictions contained in any order of the Director of Industry Operations assigning the preference rating in question or regulating transactions in the material involved, including, without limitation, restrictions as to the kind and amount of material to which preference ratings may be applied or extended, requirements of countersignature or other written approval of particular transactions, and restrictions on the use of material.

(f) *Effect on existing certificates and orders.* All existing forms of preference rating certificates issued by or under authority of the Director of Priorities or the Director of Industry Operations are continued in full force and effect, and additional certificates on such forms may continue to be issued by the persons now or hereafter authorized to issue the same until such authority is revoked or amended, subject to the provisions of this and other regulations of the Director of Industry Operations. All certificates and all existing orders of the Director of Priorities or the Director of Industry Operations are to be deemed amended by this regulation only where and to the extent that the provisions of this regulation indicate that it is to control.

Effective date. This Amendment shall take effect on July 1, 1942.

Issued this 10th day of June 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–5451; Filed, June 10, 1942; 4:49 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 11]

PRODUCTION REQUIREMENTS PLAN

§ 944.32 *Priorities Regulation No. 11*—(a) *Purpose.* It is the purpose of this regulation to provide for the integration of the system of distributing scarce materials in the interest of the war and the maintenance of the essential civilian economy by requiring principal industrial users of scarce materials to qualify under the Production Requirements Plan and to obtain preference rating assistance primarily under that Plan.

(b) *Definitions.* For the purposes of this regulation:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(3) "PRP application" means an application for priority assistance under the Production Requirements Plan on Form PD–25A or any other prescribed form.

(4) "PRP certificate" means the copy of the PRP application which has been returned to the applicant by the Director of Industry Operations with an assignment of preference ratings or other priority action endorsed thereon, and includes any supplementary certificate which may be issued from time to time.

[3] 7 F. R. 1062.

[4] 7 F.R. 3075.

[5] 7 F.R. 4198.

(5) "PRP unit" means any person who is qualified under the Production Requirements Plan by the issuance to such person of a PRP certificate. In case the certificate is issued to a branch, plant, department, or other division of a corporation or business, "PRP unit" refers only to the portion of the business to which the certificate is issued.

(6) "Class I producer" means any person (or any branch, plant, department or other division of a corporation or business which operates as a separate entity and maintains a separate inventory) whose receipts or withdrawals from inventory during the most recent calendar quarter, or whose anticipated receipts or withdrawals from inventory during the current or next succeeding calendar quarter, of metals in the forms included on the attached Metals List aggregate five thousand dollars or more in value, *except:*

(i) Any agency of the United States, of any foreign government, of any state or territory, or of any subdivision thereof except when and to the extent that any such agency is engaged in the manufacture of commodities or other materials (such as shipyards, arsenals, prison factories, etc.); and

(ii) Any person to the extent that he is engaged in the business of:

(*a*) Transportation by any means;

(*b*) Furnishing of heat, light, power, electricity, gas or water to others;

(c) Mining or quarrying;

(*d*) Production, refining, transportation, distribution or marketing of petroleum or associated hydrocarbons;

(*e*) Communications;

(*f*) Sewerage or drainage;

(*g*) The sale of material which he has not manufactured, processed, fabricated, assembled, or otherwise physically changed, including sales as a distributor, wholesaler, retailer, warehouse, industrial or mill supply house or scrap dealer;

(*h*) Extracting, smelting, refining, alloying, or similarly processing metal ores or scrap into raw metal;

(*i*) Construction, at the site, of buildings, structures, or projects.

(7) "Assignment" of a preference rating means the granting to any person, by order or certificate issued by or under authority of the Director of Industry Operations, of the right to use such rating.

(8) "Application" of a preference rating means the use of the rating by the person to whom it is initially assigned by or under the authority of the Director of Industry Operations.

(9) "Extension" of a preference rating means the use of the rating by any person to whom it is applied or extended by another person.

(c) *Persons required to qualify under PRP.* Each Class I producer shall file a PRP application not later than June 30, 1942. Each person who thereafter becomes a Class I producer shall file a PRP application before the end of the calendar quarter in which he becomes such. The Director of Industry Operations may specifically require other persons to file such applications from time to time, and may also exempt particular Class I producers from the requirements of this paragraph or extend their time for filing PRP applications. Any other processors of materials desiring priority assistance on a quarterly basis may also, with the consent of the Director of Industry Operations, qualify under the Production Requirements Plan, although not required to do so by this regulation.

(d) *Restrictions on PRP units.* (1) After June 30, 1942, except as provided in subparagraph (2) of this paragraph (d):

(i) No PRP unit shall apply any preference rating to deliveries of any material other than those authorized on its PRP certificate; and no PRP unit shall extend any preference rating which has been applied or extended to it by any other person.

(ii) No PRP unit shall accept deliveries (whether rated, unrated or allocated) of any material included on the Materials List specified on its PRP application form, or of any material not on such list for which it requested priority assistance on its PRP application, in excess of the quantity specifically rated or otherwise authorized by its PRP certificate; provided that this restriction shall not prevent the acceptance of delivery when priority assistance is denied on the express ground that such material can be obtained without such assistance.

(iii) No PRP unit shall duplicate, in whole or in part, purchase orders which it has placed with one or more suppliers for delivery of any material (whether rated, unrated or allocated) in such manner that the amount of such material ordered exceeds the amount actually required for delivery, even though the PRP unit intends to cancel or reduce its purchase orders, prior to completion of delivery, to the amount of actual requirements.

(2) (i) The restrictions of subparagraph (1) of this paragraph (d) shall not prohibit a PRP unit from making application on the appropriate form for priority assistance for delivery of materials for plant expansion, construction, or acquisition of items of capital equipment and, if authorized, applying ratings to and receiving delivery of such materials.

(ii) To the extent provided in paragraph (e) of this regulation, the restrictions of subparagraph (1) of this paragraph (d) shall be inapplicable during the interim period therein referred to.

(iii) Said restrictions shall also be inapplicable in any other case where the Director of Industry Operations may grant specific written authorization for the application or extension of a rating or the receipt of materials. Such authorization will be issued by or under the authority of the Director of Industry Operations and will specifically refer to this regulation and may grant an exemption from its terms covering particular persons or classes of persons, or particular transactions or classes of transactions.

(iv) Each PRP unit shall, so far as practicable, place its purchase orders for the material rated or otherwise authorized on its PRP certificate so as to call for substantially equal deliveries during each of the three months of the quarter, and shall in no event, unless absolutely necessary to maintain its delivery schedule or to obtain the minimum quantities practicably procurable, order for delivery during the first month of the quarter more than 40%, or during the first two months of the quarter more than 80%, of the total quantity of any material authorized for rating during the quarter.

(e) *Interim procedure for Class I producers.* Any Class I producer who files his PRP application but does not receive his PRP certificate prior to July 1, 1942, may apply or extend preference ratings during the period between June 30, 1942 and the receipt of his PRP certificate as follows:

(1) If he has been operating under the Production Requirements Plan, he may apply the same preference ratings he was authorized to apply during the second quarter of 1942 to not more than 40% of the amount of each material which he has indicated on his PRP application as his anticipated requirements for the third quarter.

(2) If he has not been operating under the Production Requirements Plan, he may continue to apply and extend ratings under any applicable preference rating orders or preference rating certificates in the same manner as permitted prior to July 1, 1942; and, notwithstanding the termination of any preference rating order on or after June 30, 1942, the same shall be deemed to continue in effect as to any such person until he receives his PRP certificate: *Provided, however,* That during the period between June 30, 1942, and the date on which he receives his PRP certificate, he shall not apply or extend ratings to the delivery of any material in an aggregate quantity greater than 40% of the amount of such material which he has indicated as his anticipated requirements on his PRP application, subject to any further restrictions contained in the preference rating certificates or orders assigning the ratings which he is applying or extending.

(3) A Class I producer who applies or extends any preference rating pursuant to subparagraphs (1) or (2) of this paragraph (e), shall deduct the amount of any material which he has received or to which he has applied or extended such rating from the amount rated or otherwise authorized by his PRP certificate when issued to him.

(f) *Application and extension of preference ratings.* A Class I producer may apply and extend preference ratings assigned by order or certificate in the manner heretofore permitted up to and including June 30, 1942. Thereafter, any Class I producer who has filed his PRP application may continue to apply and extend such ratings only in accordance with paragraphs (d) and (e) of this regulation and subject to the provisions of Priorities Regulation No. 3 as amended

(§ 944.23 [1]). After June 30, 1942, a Class I producer who has not filed his PRP application (unless he has been exempted or his filing date has been extended in accordance with paragraph (c) of this regulation) may not *extend* any ratings; and may not *apply* any rating other than a rating specifically assigned to him for the purpose of plant expansion, construction or acquisition of items of capital equipment.

(g) *Effect on existing orders and certificates.* (1) The provisions of this regulation shall not modify the terms of Preference Rating Order P–90 as issued to PRP units with respect to requirements for the second quarter of 1942. As to all requirements for the third quarter, the assignment of priorities assistance under the Production Requirements Plan will be effected solely by the PRP certificate, subject to the terms of this regulation, and the use of Preference Rating Order P–90 will be discontinued.

(2) The provisions of this regulation do not terminate any other existing order or certificate of the Director of Industry Operations granting preference rating assistance, but limit and prohibit the use of such orders or certificates by specified persons in the manner set forth above.

(3) The provisions of this regulation do not relieve PRP units from compliance with the terms of any order of the Director of Industry Operations controlling the distribution or restricting the use of any specific material, including requirements for the filing or supplying of applications or other documents in connection with the purchase, sale, delivery or use of any such material.

Issued this 10th day of June 1942.

J. S. KNOWLSON,
Director of Industry Operations.

METALS LIST

(a) Any of the metals listed in subparagraph (1) below in any of the forms listed in subparagraph (2) below:

(1) *Metals.* Iron, carbon steel, alloy steel, stainless steel, aluminum, magnesium, copper, brass, bronze, lead (including antimonial), zinc, nickel, tin, cupronickel, monel, nickel-silver, chrome nickel, babbit metal, solder, type metal, metal carbides, antimony, arsenic, beryllium, bismuth, cadmium, cobalt, iridium, mercury, molybdenum, palladium, platinum, platinum-iridium alloy, rhodium, ruthenium, tungsten.

(2) *Forms of metal.* Annodes, bars, billets, blooms, blocks, castings (including die castings), cones, dust, extruded shapes, fabricated shapes, foil, forgings, ingots, pigs, pipe, plates, powder, rails, refinery shapes, rings, rivets, rods, scrap, sheets, shot, skelp, slabs, strip, structural shapes and piling, tie plates and track accessories, tube and tubing, tube rounds, wheels and axles, wire and wire rods, wire products (including barbed and twisted fencing, bale ties, nails, staples, rope and strand).

(b) *The following ferro-alloying agents.* Calcium molybdate, ferrochromium, ferrocolumbium, ferromanganese, ferromolybdenum, ferronickel, ferrotitanium, ferrotungsten, ferrouranium, ferrovanadium, ferrozirconium, ferrocarbon-titanium, ferrophosphorus, ferrosilicon, silicomanganese, spiegeliesen.

(c) *The following oxides and other compounds of nonferrous metals.* Aluminum chloride, anhydrous, aluminum fluoride, aluminum oxide, refined, antimony oxide, chromic oxide, chromite (exclude refractory grades), cobalt oxide, copper sulfate, lead carbonate, lead oxide (litharge), lead peroxide, lead sulfate, magnesium oxide, mercuric oxide, mercury chlorides, molybdenum oxide, nickel oxide, potassium chloride, potassium chromate and dichromate, sodium chromate and bichromate, sodium tungstate, tin chlorides, titanium dioxide, tungsten ores and oxides (basis 60% WO_3), vanadium oxide, zinc oxide, leaded, zinc oxide, lead free, zinc sulfate.

[F. R. Doc. 42–5450; Filed, June 10, 1942; 4:49 p. m.]

PART 1055—WOOL

[Conservation Order M–73, as Amended for the Period July 5, 1942 to August 2, 1942]

Section 1055.1, *Conservation Order M–73*,[1] as amended to June 1, 1942, and extended to July 4, 1942 is hereby amended in the following respect:

Paragraphs (a) and (b) are amended to read as follows:

(a) *Restrictions on use of wool for non-defense orders—Curtailment from July 5, 1942, to August 2, 1942.* During the period from July 5, 1942, to August 2, 1942, both dates inclusive:

(1) *Curtailment for non-defense use on worsted system.* No person shall put into process, or cause to be put into process by others for his account for non-defense orders, on the worsted system, more wool owned by such person than 6 per cent of his basic quarterly poundage for that system, except as hereinafter provided.

(2) *Curtailment for non-defense use on woolen, cotton or felt system.* No person shall put into process or cause to be put into process by others for his account for non-defense orders, on the woolen, cotton or felt system, more wool owned by such person than 3 per cent of his basic quarterly poundage for that system, except as hereinafter provided.

(3) *Curtailment for non-defense use on methods of manufacture not otherwise covered.* No person shall put into process, or cause to be put into process by others for his account, for non-defense orders for manufacture on any system not covered above, more wool owned by such person than 3 per cent of his basic quarterly poundage for that system, except as hereinafter provided.

Provided, however, That any person, for each pound of mohair, either kid or adult, or wool of grades 44s and lower (including carpet wool), or skin alpaca, coarse alpaca fleece, alpaca seconds, Huarizo, llama, or coarse pieces or locks of alpaca or llama, owned by such person, put into process or caused to be put into process by others for his account, within the limits of (a) (1), (2), and (3), shall be entitled to put into process or cause to be put into process by others for his account:

(i) On the worsted system an additional two pounds of such material owned by such person.

(ii) On the woolen, cotton or felt system an additional five pounds of such material owned by such person.

(b) *Special provisions for persons having basic quarterly poundage for floor covering.* Any person having a basic quarterly poundage for floor covering shall be entitled during the period from July 5, 1942, to August 2, 1942, both dates inclusive, to put into process, or cause to be put into process by others for his account:

(1) An amount of wool of grades 44s and lower, fine carpet wools, mohair, either kid or adult, skin alpaca, coarse alpaca fleece, alpaca seconds, Huarizo, llama, or coarse pieces or locks of alpaca or llama, owned by such person, for the manufacture of wool products other than floor covering, and/or

(2) An amount of coarse carpet wool for the manufacture of floor coverings.

The total of both of which amounts shall not be in excess of 7 per cent of such basic quarterly poundage calculated from wool put into process for the manufacture of floor covering.

Paragraphs (c) to (h), both inclusive, of the order as amended to June 1, 1942, and extended to July 4, 1942, are hereby continued in effect to and including August 2, 1942.

This amendment shall take effect July 5, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of June 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42–5467; Filed, June 11, 1942; 11:16 a. m.]

Chapter XI—Office of Price Administration

PART 1380—HOUSEHOLD AND SERVICE INDUSTRY MACHINES

[Amendment 3 to Revised Price Schedule 102 [1]—Household Mechanical Refrigerators]

SUNBEAM ELECTRIC MFG. CO.—MAXIMUM PRICES FOR CERTAIN SALES

A statement of the considerations involved in the issuance of this amendment has been prepared and is issued simultaneously herewith.

A new paragraph (e) is added to § 1380.51.

[1] Supra.

[1] 7 F.R. 4169.

[1] 7 F.R. 2794, 3125.

§ 1380.51 *Maximum prices for household mechanical refrigerators.* * * *

(e) *Approval of maximum prices for sale of domestic household refrigerators by the Sunbeam Electric Manufacturing Company to persons assigned preference ratings by the War Production Board.* In computing the maximum price at which the Sunbeam Electric Manufacturing Company may sell and deliver the following models of domestic mechanical refrigerators to persons assigned preference ratings by the War Production Board, pursuant to Amendment No. 1[2] to Revised Price Schedule No. 102, the amounts set forth below for each model shall be the base prices:

Unit model	Cabinet model	Base prices
214020	41124	$65.66
214040	41126	71.83
214041	41226	81.74
214042	41216	81.23
214150	41236	85.28
214150	41326	93.49
214150	41426	95.65
214070	41336	98.46
214072	41336	97.86
224650	42236	87.72
20500	4096	84.99
214160	41358	105.19
214161	41238	93.39
214162	41428	100.20
214162	41228	90.99
214171	41338	104.62

§ 1380.60 *Effective dates of amendments.*

* * * * *

(c) Amendment No. 3 (§ 1380.51 (e)) to Revised Price Schedule No. 102 shall become effective June 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 10th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5454; Filed, June 10, 1942; 5:17 p. m.]

PART 1381—SOFTWOOD LUMBER

[Maximum Price Regulation 161]

WEST COAST LOGS

In the judgment of the Price Administrator the prices of the major species of West Coast logs have risen and are threatening further to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The species of logs specifically embraced by this Maximum Price Regulation are: Douglas fir peeler logs, heretofore covered by Revised Price Schedule No. 54,[1] and all other grades of Douglas fir logs, western red cedar logs, western hemlock logs, western white fir logs, noble fir logs, and Sitka spruce logs. The Price Administrator has ascertained and given due consideration to the prices of West Coast logs prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

In the judgment of the Price Administrator the maximum prices established by this Regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administrator, Revised Price Schedule No. 54 (§§ 1312.201 to 1312.209, inclusive)—Douglas Fir Peeler Logs, is hereby revoked, effective June 20, 1942, and Maximum Price Regulation No. 161 is hereby issued.

AUTHORITY: §§ 1381.151 to 1381.160, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1381.151 *Maximum prices for West Coast logs.* On and after June 20, 1942, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver West Coast logs, and no person shall buy or receive West Coast logs in the course of trade or business at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1381.160; and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of West Coast logs to a purchaser if prior to June 20, 1942, such West Coast logs had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1381.152 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1381.160) may be charged, demanded, paid or offered.

§ 1381.153 *Conditional agreements.* No seller of West Coast logs shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices in effect upon the date of the agreement: *Provided,* That if a petition for amendment (or for adjustment or for exception) has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception would be in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment (or for adjustment or exception, as the case may be). Requests for such an exception may be included in the aforesaid petition for amendment (or for adjustment or for exception).

§ 1381.154 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 161 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to West Coast logs, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1381.155 *Records and reports.* (a) On and after June 20, 1942, every person who, during any calendar month offers or agrees to sell, sells, or delivers, or offers or agrees to buy, buys, or receives 100,000 ft., log scale, or more of West Coast logs in the course of trade or business, shall keep for inspection by the Office of Price Administration for a period of not less than two years, a complete and accurate record of every such offer, agreement, purchase, sale or delivery, showing the date thereof, the name and address of the buyer and the seller, the price paid or received, and the quantity of each kind or grade purchased or sold.

(b) Such persons designated in paragraph (a) of this section shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require or permit.

§ 1381.156 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 161 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 161 or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest District, State, or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1381.157 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 161 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1381.158 *Definitions.* (a) When used in this Maximum Price Regulation No. 161, the term:

(1) "Person" includes an individual, corporation, partnership, association, or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "West Coast logs" means Douglas fir logs, western red cedar logs, western hemlock logs, western white fir logs, noble fir logs, and Sitka spruce logs, of all grades and types, which are produced in those parts of Oregon, Washington, California, and Canada lying west of the crests of the Cascade and Sierra Nevada Mountain ranges.

[1] 7 F.R. 1311, 1836, 2132, 3123.
[2] 7 F.R. 1401.

[2] 7 F.R. 971.

(3) "Douglas fir" means the botanical species of Pseudotsuga taxifolia.

(4) "Douglas fir peeler log" means a Douglas fir log suitable for the manufacture, by rotary cutting, of Douglas fir plywood, whether it is actually so used or not. It includes any such log, even though it is selected for the manufacture of ponton lumber, aircraft lumber, shipdecking, or other special grades of lumber.

(5) "Western red cedar" means the botanical species of Thuya plicata.

(6) "Western hemlock" means the botanical species of Tsuga mertensiana or Tsuga heterophylla.

(7) "Western white fir" means the botanical species of Abies grandsi, or Abies amabilis, Abies magnifica, and Abies lasiocarpa.

(8) "Noble fir" means the botanical species of Abies nobilis.

(9) "Sitka spruce" means the botanical species of Picea sitchensis.

(10) The grades of Douglas fir, western red cedar, western hemlock, western white fir, noble fir, and Sitka spruce logs specified in Appendix A, § 1381.160, shall mean such grades as understood in the particular district on August 1, 1941.

(11) "District" means any one of four districts, as follows:

(i) Puget Sound district, including all counties in the State of Washington lying west of the crest of the Cascade Mountains except those named in the Willapa Bay and Grays Harbor, and Columbia River districts;

(ii) Willapa Bay and Grays Harbor district, including the counties of Grays Harbor and Pacific in the State of Washington;

(iii) Columbia River district, including the counties of Wahkiakum, Cowlitz, Clarke, and Skamania in the State of Washington, and Clatsop, Columbia, Washington, Clackamas, and Hood River in the State of Oregon;

(iv) Willamette Valley district, including California and all counties in the State of Oregon lying west of the crests of the Cascade and Sierra Nevada Mountain ranges except those named in the Columbia River District.

(12) "Price" means the delivered price, including transportation charges and commissions to wholesalers, commission salesmen, or others.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1381.159 *Effective date.* This Maximum Price Regulation No. 161 (§§ 1381.151 to 1381.160, inclusive) shall become effective June 20, 1942.

§ 1381.160 *Appendix A: Maximum delivered prices for West Coast logs.* (a) The maximum delivered prices per 1,000 ft. log scale for West Coast logs delivered in the waters of Puget Sound, Willapa Bay and Grays Harbor, and the Columbia River or, if the buyer's manufacturing plant is not located on these waters, delivered at the buyer's plant within the district named, shall be as follows:

(1) For all logs, except those cut to special long lengths pursuant to an order placed by the buyer before the timber was felled, and except blocks in lengths less than 12 feet:

(i) DOUGLAS FIR

	Puget Sound District	Willapa Bay Grays Harbor District	Columbia River District
No. 1 sawmill log	$31.00	$28.00	$28.00
No. 2 sawmill log, shop type, old growth yellow fir	23.00	23.00	21.00
No. 2 sawmill log, all other types, including 2nd growth	22.00	22.00	20.00
No. 3 sawmill log, shop type, old growth yellow fir	18.00	17.00	16.00
No. 3 sawmill log, all other types, including 2nd growth	17.00	16.00	15.00
Pee Wee, sawmill logs	18.75	17.75	17.00
Camp Run (ungraded)	17.00	16.00	18.00

(ii) WESTERN RED CEDAR

No. 1 and Lumber Grade logs	$36.00	$33.00	$33.00
No. 2, No. 3, and Shingle Grade logs	21.00	18.00	18.00
Camp Run (ungraded)	21.00	18.00	18.00

(iii) WESTERN HEMLOCK

Suitable for peeling	$27.00	$26.00	$26.00
No. 1	21.50	20.50	20.50
No. 2	18.50	17.50	17.50
No. 3	15.50	14.50	14.50
Camp Run (ungraded)	17.50	16.50	16.50

(iv) WESTERN WHITE FIR AND NOBLE FIR

Suitable for peeling	$26.00	$25.00	$25.00
No. 1	20.50	19.50	19.50
No. 2	17.50	16.50	16.50
No. 3	14.50	13.50	13.50
Camp Run (ungraded)	16.50	15.50	15.50

(v) SITKA SPRUCE

No. 1	$45.00	$45.00	$45.00
No. 2	30.00	30.00	30.00
No. 3	17.00	17.00	17.00
Camp Run (ungraded)	17.00	17.00	17.00

(vi) DOUGLAS FIR PEELER LOGS

Puget Sound district:	
No. 1 log suitable for peeling, minimum diameter 30"	$40.00
No. 2 log suitable for peeling, minimum diameter 30"	35.00
Core log, minimum diameter 26"	27.00
Willapa Bay and Grays Harbor district:	
Peeler grade, minimum diametcr 36"	41.00
No. 1 log suitable for peeling, minimum diameter 30"	33.00
No. 2 log suitable for peeling, minimum diameter 26"	25.00
Columbia River district:	
No. 1 log suitable for peeling, minimum diameter 30"	37.50
No. 2 log suitable for peeling, minimum diameter 30"	31.50
Core log	24.00

(2) For logs cut to special long lengths pursuant to an order placed by the buyer before the timber was felled, add the following to the base prices per 1,000 ft. log scale set forth in subparagraph (1) of this paragraph (a):

Nominal length	No. 1 logs	No. 2 and No. 3 logs
42'–50'	$6.00	$4.00
52'–60'	12.00	8.00
62'–70'	18.00	12.00
Over 70'	(1)	(1)

[1] The seller must apply to the Office of Price Administration in Washington, D. C., for approval of his proposed price before quoting or charging such price.

(3) For blocks in lengths of less than 12 feet, deduct $5.00 per 1,000 ft. log scale from the base prices set forth in subparagraph (1) of this paragraph (a).

(b) The maximum delivered prices per 1,000 ft. log scale for West Coast logs delivered at any other point than the waters named or the buyer's manufacturing plant shall be determined as follows: from the prices in paragraph (a) of this section, subtract the transportation costs which would have been applicable to the shipment had it moved from the logger's loading-out point to the waters of the particular district, then add actual transportation costs from logger's loading-out point to the actual destination specified by the purchaser: *Provided,* That regardless of the result of such computation, the prices shall in no event exceed the prices set forth in paragraph (a) of this section applicable to deliveries into the waters of Puget Sound, Willapa Bay and Grays Harbor, and the Columbia River.

(c) The maximum delivered prices per 1,000 ft. log scale for West Coast logs delivered at any point in the Willamette Valley district shall be determined as follows: from the prices set forth in paragraph (a) of this section for delivery in the Columbia River district, subtract the transportation costs which would have been applicable to the shipment had it moved from the logger's loading-out point to the Columbia River district, then add actual transportation costs from logger's loading-out point to the actual destination specified by the purchaser: *Provided,* That regardless of the result of such computation, the prices for the Willamette Valley district shall in no event exceed the prices set forth in paragraph (a) of this section for delivery in the Columbia River district.

(d) When logs are sold out of one district for delivery in another district, the maximum prices and the grades shall be those of the district in which the buyer takes delivery of the logs.

Issued this 10th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–5452; Filed, June 10, 1942; 5:15 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 5 to Supplementary Regulation 1 [2] to General Maximum Price Regulation [1]]

WOOL SKINS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 1499.26 is amended by adding a new subparagraph (24) to paragraph (a) and a new subdivision (ix) to paragraph (d) (1), as set forth below:

§ 1499.26 *Exceptions for certain commodities, certain sales and deliveries.* (a) General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities:

* * * * *

(24) Wool skins, whether domestic or foreign.

* * * * *

(d) *Definitions.* (1) When used in this Supplementary Regulation No. 1, the term:

* * * * *

(ix) "Wool skins" means the untanned skins of sheep or lambs with the wool still on.

(e) *Effective dates.* * * *

(6) Amendment No. 5 (§ 1499.26 (a) (24), (d) (1) (ix)) to Supplementary Regulation No. 1 shall become effective June 12, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 10th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5453; Filed, June 10, 1942; 5:16 p. m.]

PART 1306—IRON AND STEEL

[Maximum Price Regulation 159]

FABRICATED CONCRETE REINFORCING BARS

In the fourth line of § 1306.374 (d) (2) appearing on page 4341 of the issue for Tuesday, June 9, 1942, the word "welded" is misspelled.

PART 1388—DEFENSE-RENTAL AREAS

Corrections

[Maximum Rent Regulation No. 5]

BRIDGEPORT DEFENSE-RENTAL AREA

Fairfield, Conn., appears erroneously as "Fairchild" in the first line of page 4052 of the issue for Saturday, May 30, 1942.

[Maximum Rent Regulation No. 9]

BURLINGTON DEFENSE-RENTAL AREA

In paragraph (a) of § 1388.411 appearing on page 4066, four lines should be transposed, so that the paragraph will read as follows:

§ 1388.411 *Scope of regulation.* (a) This Maximum Rent Regulation No. 9 establishes the maximum rents which may be demanded or received for use or occupancy on and after June 1, 1942 of all housing accommodations within that portion of the Burlington Defense-Rental Area designated in the Designation and Rent Declaration (§§ 1388.401 to 1388.405, inclusive) issued by the Administrator on March 2, 1942 (consisting of the Townships of Augusta, Burlington, Concordia, Danville, Flint River, Tama, and Union, in the County of Des Moines; the Townships of Baltimore, Center, Mount Pleasant, and New London, in the County of Henry; and the Townships of Denmark, Green Bay, Madison, and Washington, in the County of Lee, all in the State of Iowa—hereinafter referred to in this Maximum Rent Regulation No. 9 as the "Defense-Rental Area"), except as provided in paragraph (b) of this section.

[Maximum Rent Regulation No. 12]

SCHENECTADY DEFENSE-RENTAL AREA

In § 1388.565 (c) (1), page 4077, the reference to § 138.564 should read "§ 1388.564".

[Maximum Rent Regulation No. 18]

YOUNGSTOWN-WARREN DEFENSE-RENTAL AREA

In § 1388.864 (d) (3), page 4097, the word "substantially" should be deleted.

PART 1410—WOOL

[Amendment 5 to Revised Price Schedule 58, as Amended]

WOOL AND WOOL TOPS AND YARNS

In the third line of § 1410.64 (a) (1) (ii) appearing on page 4301 of the issue of Saturday, June 6, 1942, the word "for" should read "from." In the fourth line of the table in subparagraph (3) of the same paragraph the word "sold" should read "solid".

In the third line of § 1410.65 (c) (6), page 4303, the word "secured" should read "scoured."

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circular No. 1510]

PART 192—OIL AND GAS PERMITS AND LEASES

OVERRIDING ROYALTY INTERESTS IN OIL AND GAS LEASES

Section 192.42d [1] of Title 43 of the Code of Federal Regulations contained in Circular 1504 of March 9, 1942, is hereby amended by adding thereto the following:

§ 192.42d *Assignment of oil and gas lease or interest therein.* * * *

The provisions of this section prescribing a limitation as to overriding royalty interests in oil and gas leases shall not apply to assignments or agreements creating such interests executed prior to March 9, 1942, and submitted for approval prior to July 1, 1942.

The provisions of this section prescribing a limitation as to overriding royalty interests in oil and gas leases shall not apply to those leases which provide for the payment of a flat royalty of five per cent to the United States, but no assignment or agreement involving such a lease executed on or after March 9, 1942, will be recognized as valid which, inclusive of the royalty payable to the United States, shall create in the lease royalty interests in excess of 17½ per cent. (32, 41 Stat. 450; 30 U.S.C. 189)

FRED W. JOHNSON,
Commissioner.

I concur: May 18, 1942.

W. C. MENDENHALL,
Director, Geological Survey.

Approved: May 28, 1942.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 42-5438; Filed, June 10, 1942; 3:28 p. m.]

TITLE 45—PUBLIC WELFARE

Chapter II—Civilian Conservation Corps

PART 203—ENROLLMENT, DISCHARGE, HOSPITALIZATION, DEATH, AND BURIAL OF ENROLLEES

BURIAL EXPENSES

Section 203.12 (a) is hereby amended to read as follows:

§ 203.12 *Burial expenses.* Regulations applicable to deceased enrollees, approved by the United States Employees' Compensation Commission, are as follows:

(a) *Burial expenses proper.* Burial expenses proper are authorized for all deceased enrollees regardless of the cause and place of death, including former enrollees whose death occurs while undergoing authorized hospitalization initiated prior to discharge. Burial expenses proper will be restricted to undertakers' services, cost of casket, cost of outside box or shipping case when the remains are shipped, and hire of hearse. In addition to the burial expenses proper for which limits are prescribed below, the following may be furnished when required: Authorized, necessary transportation, either without or after temporary interment. Expenditure not to exceed $50.00 to cover necessary expenses of interment at place of burial, such expenses to include the following: Hearse hire for remains and transportation of immediate relatives to cemetery, services of a minister, undertaker's services, cost of grave site in private cemetery and opening and closing grave, and in the event that the remains are shipped by rail from the place of death to the home, hearse hire from the railroad station to the home or undertaker's establishment will be included in the foregoing amount. Corps area commanders will issue such instruc-

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[1] 7 F.R. 3153.
[2] 7 F.R. 3158, 3488, 3892, 4183.

[1] 7 F.R. 2246.

tions as may be necessary to insure that the parents or nearest relatives of the deceased, or other person to whom the remains are delivered, are informed of this authorization and advised as to the proper procedure to be followed in obtaining payment of obligations incurred.

Except as otherwise hereinafter specifically authorized, burial expenses proper will be limited to $85. The limit of $85 will not ordinarily be exceeded without the authority of the Quartermaster General. In an emergency in which it is impracticable to procure the services of a reputable undertaker within the limitation prescribed above, and the lowest bid submitted is reasonable and it is necessary that it be accepted, a bid in excess of the prescribed limit may be accepted. The limit in such cases will be $100, which will not be exceeded without the authority of the Quartermaster General.

When it is impracticable to ship the remains at the time of death, or if it is impossible to communicate with the emergency addressee before interment, the remains may be subsequently disinterred and shipped home at Government expense at the request of the emergency addressee. In such cases the expense of disinterment and preparation of the remains for shipment will not exceed $85, unless authorized by the Quartermaster General. If the emergency addressee states that shipment home is not desired and the remains are interred at Government expense, subsequent disinterment or shipment of the remains will not be made at Government expense.

In case of death by dangerous communicable disease; by drowning, when the remains are not recovered immediately; by aviation accident while in flight; by railway or other accidents remote from posts or camps, when local undertakers must be employed; when on leave; when traveling on a train; or when at isolated or other stations at which local undertakers must be employed for each individual case; burial expenses proper will not ordinarily exceed $100. The limit of $100 will not be exceeded without the authority of the Quartermaster General.

If at the time and place of death a properly approved contract was in force, the amount to be allowed as reimbursement for burial expenses proper will be limited to the sum that such contract would have allowed for a similar case. However, if no such contract was in effect at that time and place, such amount will not exceed $85, except when approved by the Quartermaster General. (50 Stat. 319) [C.C.C. Regs., W.D., Dec. 1, 1937 as amended by C–91, May 21, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42–5443; Filed, June 10, 1942; 3:30 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Emergency Order No. M–1]

Subchapter B—Carriers by Motor Vehicle

PART 215—EMERGENCY OPERATING AUTHORITIES

EMERGENCY DIVERSION OF FREIGHT BY COMMON CARRIERS BY MOTOR VEHICLE TO OTHER SUCH CARRIERS

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 8th day of June, A. D. 1942.

The Commission having under consideration operating conditions of common carriers of property by motor vehicle and the subject of rerouting of traffic in connection with such carriers, and

It appearing, That there exists an urgent need to conserve the transportation facilities of the nation and to expedite the transportation and delivery of war materials and other freight for the purpose of successfully prosecuting the war,

And it further appearing, That these purposes will be materially served, and the public interest will be promoted, by the interchange of traffic between all such common carriers without regard to the routing thereof made by shippers or carriers, therefore:

It is ordered, That:

Sec.
215.100 Departures authorized.
215.101 Duty of carriers.
215.102 Rerouting when one-factor local or joint rate is in effect.
215.103 Rerouting when one-factor local or joint rate is not in effect.
215.104 Tariff provision to be published on one day's notice.
215.105 Division of revenues.

AUTHORITY: §§ 215.100 through 215.106, inclusive, issued under Pub. Law 507, 77th Cong.

§ 215.100 *Departures authorized.* All common carriers of property by motor vehicle when necessary to further the purposes and to comply with the requirements of §§ 501.4–501.15 of this title (General Order O.D.T. No. 3, as amended,[1] by the Director of Defense Transportation), are directed to depart from and to disregard the routing in the bill of lading of any shipment and the routing provisions stated in the tariff of any carrier participating in the transportation; and all rules, regulations, and practices of such carriers with respect to service or routing are hereby suspended and superseded insofar as they conflict with §§ 215.100 through 215.105.

§ 215.101 *Duty of carriers.* When any common carrier by motor vehicle reroutes a shipment, in furtherance of and to comply with the provisions of General Order O. D. T. No. 3 (Part 501, Subpart B of this title) to another such carrier, such other carrier shall accept and transport such shipment at the rates as provided in §§ 215.102 and 215.103.

§ 215.102 *Rerouting when one-factor local or joint rate is in effect.* If the bill of lading carrier has in effect a one-factor local rate or is a party to a one-factor joint rate for the transportation of the shipment from its origin to its destination, the carrier or carriers to whom the shipment has been diverted shall forward such shipment on the billing and pursuant to the tariff rate and the rules and regulations of the carrier issuing the bill of lading, which rate, rules, and regulations shall be those which would have applied if no rerouting had been made.

§ 215.103 *Rerouting when one-factor local or joint rate is not in effect.* If the bill of lading carrier has no one-factor local rate or is not a party to a one-factor joint rate for the transportation of the shipment from its origin to its destination, the carrier to whom the shipment has been diverted shall forward such shipment to its destination subject to the lowest combination of rates applicable over the route of movement.

§ 215.104 *Tariff provision to be published on one day's notice.* Each common carrier of property by motor vehicle subject to the Interstate Commerce Act shall immediately publish, in accordance with the regulations provided in Tariff Circular MF No. 3, (§§ 187.21 through 187.47 of this title) effective on one day's notice, in each of its tariffs stating rates, rules or regulations for the transportation of property, a tariff provision reading substantially as follows:

If (name of carrier) to comply with the requirements of General Order O.D.T. No. 3, as amended, by the Director of Defense Transportation, diverts to another common carrier by motor vehicle for transportation a shipment for which it has issued a bill of lading and has a one-factor local rate or is a party to a one-factor joint rate for the transportation of the shipment from its origin to its destination, such rate will apply without regard to the diversion and rate over the actual route of movement. In all other instances the lowest combination of rates and charges over the route of movement will apply.

When (name of carrier) receives from another common carrier by motor vehicle a shipment which has been diverted to it, in compliance with the requirements of General Order O. D. T. No. 3, as amended, by the Director of Defense Transportation, the established tariff provisions of the (name of Carrier) will not apply and the (name of carrier) will transport such shipment under the billing and in accordance with the rate and tariff provisions of the carrier who issued the bill of lading: *Provided,* Such bill of lading carrier had, at the time the shipment was accepted by it, a one-factor local rate or is a party to a one-factor joint rate for the transportation of the shipment

[1] 7 F.R. 3004, 4118, 4184.

from its origin to its destination. The (name of carrier) will accept as its compensation such division of the one-factor local or joint rate of the bill of lading carrier as may be agreed upon by the interested carriers or as may be prescribed by the Interstate Commerce Commission.

§ 215.105 *Division of Revenues.* Common carriers by motor vehicle participating in the transportation of shipments made in accordance with and as required by this order, shall be entitled to such division of the revenue accruing from any such shipment, as may be agreed upon between them, as and for compensation for the service performed; in the event of failure to agree, the Commission, after hearing, may determine and fix such division in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

Whenever such common carriers have not agreed upon divisions of revenue, or are unable to agree, as and for compensation for the service performed, in order to avoid numerous proceedings before the Commission for determination of divisions the revenues should be divided among such carriers on the following bases, which the Commission informally believes would be just and reasonable:

(a) When each carrier participating in the transportation performs a line-haul service, first determine the total distance from the point of origin to the point of destination over the route (highways in case of motor carriers) over which the shipment moved and then ascertain the percentage relation the distance each carrier transported the shipment bears to the total distance. The percentages so determined shall be used in dividing the revenue among such carriers, subject to the following conditions:

(1) The revenue accruing to the bill of lading carrier and the destination carrier shall not be less than 20 percent of the rate, subject to a minimum of 15 cents per shipment for each carrier.

(2) When it is necessary to invoke the minimum provisions set forth in paragraph (a) of this section as to either the bill of lading carrier or the destination carrier, or both, the balance of the revenue accruing from the rate shall be divided among any other carriers participating in the transportation in accordance with the general provisions of this section.

(b) When the bill of lading carrier performs pick-up service and no line-haul movement, the rate is to be divided in accordance with the provisions of paragraph (a) of this section, except that such bill of lading carrier shall receive 20 percent of the rate, but not more than 10 cents per hundredweight, subject to a minimum of 15 cents per shipment.

(c) When the shipper performs the pick-up service and the shipment is handled over the dock of the bill of lading carrier, and the bill of lading carrier performs no line-haul movement, the rate is to be divided in accordance with the provisions of paragraph (a) of this section, except that such bill of lading carrier shall receive 20 percent of the rate, but not more than 10 cents per-hundredweight, subject to a minimum of 15 cents per shipment. Any allowance to the shipper for performing the pick-up service provided for in the tariff of the bill of lading carrier, shall be paid by such bill of lading carrier.

(d) When the bill of lading carrier provides no service other than the billing of the shipment and the shipment is not handled over such carrier's dock, such carrier shall receive 5 percent of the rate, subject to a minimum of 5 cents and a maximum of $1 per shipment.

(e) *Revenue of bill of lading carrier performing no line-haul transportation.* When a shipment moving under the lowest combination of rates over the route of movement, as provided by this order, is diverted by the bill of lading carrier and the bill of lading carrier performs no line-haul transportation service, the revenue to be received by the bill of lading carrier from the first factor of the combination rate shall be as provided by paragraphs (b), (c), and (d) of this section.

And it is further ordered, That copies of this order be served upon all common carriers of property by motor vehicle subject to the Interstate Commerce Act; and that notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 42-5472; Filed, June 11, 1942; 11:00 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.

[1942 1st Sup. to Dept. Circ. 657]

REGULATIONS GOVERNING AGENCIES FOR THE ISSUE OF WAR SAVINGS BONDS, SERIES E

SUBSTITUTION OF "WAR" FOR "DEFENSE"

JUNE 1, 1942.

Department Circular No. 657,[1] dated April 15, 1941, as amended, is hereby supplemented by adding the following new paragraph before the last paragraph of section 6 (Miscellaneous) of the circular:

Wherever the word "Defense" is used in this circular or any agreement entered into pursuant thereto, or wherever the word "Defense" is used in any form used or required to be used in connection with such circular or agreement, the word "War" shall be used in lieu of or interchangeably with the word "Defense," as the circumstances may require, on and after the date of this supplement. Issuing agents designated under the terms of this circular, the qualification of which has been approved and now is in full force and effect will not be required to file new formal Application-Pledge or Trust Agreements and they will be conclusively presumed to have assented to continue to act as issuing agents under the terms of such agreements and this circular, as amended and supplemented, by the receipt for sale of War Savings Bonds of Series E. Likewise, by such receipt, collateral security now or hereafter pledged under the terms of such Agreements shall be conclusively deemed to be pledged as collateral security in connection with either or both, Defense or War Savings Bonds of Series E.

[SEAL] H. MORGENTHAU, Jr., *Secretary of the Treasury.*

[F. R. Doc. 42-5447; Filed, June 10, 1942; 4:46 p. m.]

[1] Affects 31 CFR 317.6, 6 F.R. 1986.

[1942 Dept. Cir. 653, Revised]

WAR SAVINGS BONDS, SERIES E, AND WAR SAVINGS STAMPS FOR INSTALLMENT PAYMENTS

I. OFFERING OF BONDS OF SERIES E

JUNE 1, 1942.

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, offers for sale, to the people of the United States, through the Postal Service and other designated agencies, United States Savings Bonds of Series E, which bonds are hereby designated United States War Savings Bonds,[1] and may hereinafter be referred to as bonds of Series E. A description of the bonds, their terms, and the conditions of their issue and redemption are hereinafter fully set forth.

2. United States Savings Bonds of Series E include bonds issued as Defense Savings Bonds under this circular as originally published, and those issued as War Savings Bonds under this circular as revised. The former bonds will be withdrawn from sale when existing stocks are exhausted, and the new bonds will then be placed on sale without further notice, and their sale will continue until terminated by the Secretary of the Treasury. As their terms and the conditions of their issue are identical, no distinction is to be made between any bonds of Series E, whether issued as Defense or as War Savings Bonds.

II. DESCRIPTION AND TERMS OF BONDS

1. The bonds of Series E will be issued only in registered form, in denominations of $25, $50, $100, $500 and $1,000 (maturity values), at prices hereinafter set forth. Each bond will bear the facsimile signature of the Secretary of the Treasury, and will bear both an imprint (in red) and an impression of the Seal of the Treasury. At the time of issue, the issuing agent will inscribe the name and address of the owner on each bond, will

[1] United States Savings Bonds of Series F and G, issued pursuant to Department Circular No. 654, Revised, dated June 1, 1942, are also included in the designation United States War Savings Bonds.

enter the date as of which the bond is issued in the upper right corner, and will imprint his dating stamp (with current date) in the circle in the lower left corner. Bonds of Series E shall be valid only if duly inscribed and dated, as above provided, and delivered by an authorized agent following receipt of payment therefor.

2. The bonds will, in each instance, be dated as of the first day of the month in which payment of the issue price is received by an agent authorized to issue the bonds; the bonds will mature and be payable at face value 10 years from such issue date. The bonds may not be called for redemption by the Secretary of the Treasury prior to maturity, but they may be redeemed prior to maturity, after 60 days from the issue date, at the owner's option, at fixed redemption values. No interest as such will be paid on the bonds, but they will increase in redemption value at the end of the first year from issue date, and at the end of each successive half-year period thereafter until their maturity, when the face amount becomes payable. The increment in value will be payable only upon redemption of the bonds. A table of redemption values for each bond appears on its face. The purchase price of bonds of Series E has been fixed so as to afford an investment yield of about 2.9 percent per annum compounded semiannually if the bonds are held to maturity; if the owner exercises his option to redeem a bond prior to maturity the investment yield will be less. The table at the end of this circular shows: (1) How bonds of Series E, by denominations, increase in redemption value during the successive half-year periods following issue, and (2) the computed investment yields (a) on the issue price from issue date to the beginning of each half-year period, and (b) on the current redemption value from the beginning of each half-year period to maturity at the end of the 10-year period.

3. The bonds will not be tranferable, and will be payable only to the owner named thereon, except in case of death or disability of the owner or as otherwise specifically provided in the regulations governing savings bonds, and in any event only in accordance with such regulations. Accordingly they may not be sold, and may not be hypothecated as collateral for a loan.

4. *Taxation.* For the purpose of determining taxes and tax exemptions, the increment in value represented by the difference between the price paid for United States Savings Bonds issued on a discount basis, and the redemption value received therefor (whether at or before maturity) shall be considered as interest, and such interest on bonds of Series E is not exempt from income or profits taxes now or hereafter imposed by the United States.[2] The bonds shall be subject to estate, inheritance, gift, or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

[2] For information concerning the taxable and exempt status under Federal tax laws of the interest (increment in value) on United States Savings Bonds issued on a discount basis (including bonds of Series E), and alternate methods of reporting such interest, see Internal Revenue Mimeograph, Coll. No. 5299, R. A. No. 1177, dated December 17, 1941.

III. PURCHASE OF BONDS

1. *Agencies.* Bonds of Series E may be purchased, while this offer is in effect, as follows:

(a) *Over-the-counter for cash.* (1) At United States post offices of the first, second, and third classes, and at selected post offices of the fourth class, and generally at classified stations and branches.

(2) At the Treasury Department, Washington, D. C., at Federal Reserve Banks and Branches, and at such incorporated banks, trust companies, mutual savings banks and other agencies as are duly designated and have duly qualified as sales agents pursuant to the provisions of Treasury Department Circular No. 657, dated April 15, 1941, as amended and supplemented.

(b) *On mail order.* Bonds of Series E may be purchased by mail upon application to the Treasurer of the United States, Washington, D. C., or to any Federal Reserve Bank or Branch, accompanied by a remittance to cover the issue price. Any form of exchange, including personal checks, will be accepted, subject to collection. Checks, or other forms of exchange, should be drawn to the order of the Treasurer of the United States or the Federal Reserve Bank, as the case may be.

(c) *Other agencies.* The Secretary of the Treasury, in his discretion, may designate other agencies for the sale of, or for the handling of applications for, bonds of Series E, which shall operate under such terms and conditions as the Secretary of the Treasury may prescribe or approve.

2. *Postal Savings.* Subject to regulations prescribed by the Board of Trustees of the Postal Savings System, the withdrawal of postal savings deposits will be permitted for the purpose of acquiring savings bonds.

3. *United States War Savings Stamps for installment payments.* War Savings Stamps, in denominations of 10, 25, and 50 cents, and $1 and $5, may be purchased at any post office where bonds of Series E are on sale and at such other agencies as may be designated from time to time. These stamps may be used to accumulate credits for the purchase of War Savings Bonds. Albums, for affixing the stamps, will be available without charge, and such albums will be receivable, in the amount of the affixed stamps, on the purchase price of War Savings Bonds. A Treasury issue of War Savings Stamps will hereafter be made available to replace the Postal Savings issue of Defense Stamps. The latter stamps will be withdrawn from sale when existing stocks are exhausted and the new stamps will be placed on sale without further notice, and their sale will continue until terminated by the Secretary of the Treasury. Defense Postal Savings Stamps will hereafter be included in the term War Savings Stamps and no distinction is to be made between any such stamps whether issued as Defense Postal Savings Stamps or as War Savings Stamps, and the stamps of either issue may be used interchangeably to accumulate credits for the purchase of War Savings Bonds.

4. *Issue prices.* The issue prices of the various denominations of bonds of Series E follow:

Denomination (maturity value)	$25.00	$50.00	$100.00	$500.00	$1,000.00
Issue (purchase) price	18.75	37.50	75.00	375.00	750.00

IV. LIMITATION ON HOLDINGS

1. The amount of United States Savings Bonds of Series E of any designation originally issued during any one calendar year to any one person, including those registered in the name of that person alone, and those registered in the name of that person with another named as coowner, that may be held by that person at any one time shall not exceed $5,000 (maturity value). Any bonds acquired on original issue which create an excess must immediately be surrendered for refund of the issue price, as provided in the regulations governing savings bonds.

V. AUTHORIZED FORMS OF REGISTRATION

1. Bonds of Series E may be registered only in the names of natural persons (that is, individuals) whether adults or minors, in their own right, who are residents of the Continental United States, the Territories and Insular Possessions of the United States, the Canal Zone, the Philippine Islands, or citizens of the United States temporarily residing abroad, as follows: (a) In the name of one person, (b) in the names of two (but not more than two) persons as coowners, and (c) in the name of one person payable on death to one (but not more than one) other designated person. Full information as to authorized forms of registration will be found in the regulations governing savings bonds (see Sec. IX, par. 1).

VI. DELIVERY AND SAFEKEEPING OF BONDS OF SERIES E

1. Postmasters and other authorized sales agents from whom bonds of Series E may be purchased are authorized to deliver such bonds duly inscribed and dated upon receipt of the issue price. Bonds issued upon mail order applications made to a Federal Reserve Bank or Branch, or to the Treasurer of the United States will be delivered within the Continental United States, the Territories and Insular Possessions of the United States, the Canal Zone and the Philippine Islands.[3] No deliveries elsewhere will be made. If purchased by citizens of the United States temporarily residing abroad, bonds will be delivered in the United States, or held in safekeeping, as

the purchaser may direct. Delivery should not be accepted by any purchaser until he has verified that the correct name and address are duly inscribed on the face of the bond, that the bond is duly dated as of the first day of the month in which payment of the issue price was received by the agent, and that the dating stamp (with current date) of the postmaster or other issuing agent is imprinted in the circle in the lower left corner of the bond.

2. A savings bond will be held in safekeeping without charge by the Secretary of the Treasury if the holder so desires, and in such connection the facilities of the Federal Reserve Banks, as fiscal agents of the United States, and those of the Treasurer of the United States, will be utilized. Arrangements may be made for such safekeeping at the time of purchase, or subsequently. Postmasters generally, and branches of Federal Reserve Banks,[4] will assist holders in arranging for safekeeping, but will not act as safekeeping agents.

VII. PAYMENT AT MATURITY OR REDEMPTION PRIOR TO MATURITY

1. *General.* Any bond of Series E will be paid in full at maturity, or, at the option of the owner, after 60 days from the issue date, will be redeemed in whole or in part at the appropriate redemption value prior to maturity, following presentation and surrender of the bond, with the request for payment properly executed, all in accordance with the regulations governing savings bonds.

2. *Execution of request for payment.* The registered owner, or other person entitled to payment under the regulations governing savings bonds, must appear before one of the officers authorized by the Secretary of the Treasury to witness and certify requests for payment, establish his identity, and in the presence of such officer sign the request for payment, adding the address to which the check is to be mailed. After the request for payment has been so signed, the witnessing officer should complete and sign the certificate provided for his use. Unless otherwise authorized in a particular case, the form of request appearing on the back of the bond must be used.

3. *Officers authorized to witness and certify requests for payment.* The officers authorized to witness and certify requests for payment of savings bonds are fully set forth in the regulations governing savings bonds, such officers including United States postmasters and certain other post office officials, and the executive officers of all banks or trust companies incorporated in the United States or its organized Territories, including officers at domestic and foreign branches who are certified to the Treasury Department as executive officers.

4. *Presentation and surrender.* After the request for payment has been duly executed by the person entitled and by the certifying officer, the bond must be presented and surrendered to the Treasury Department, Washington, or to a Federal Reserve Bank or Branch, at the expense and risk of the owner. For the owner's protection, the bond should be forwarded by registered mail, if not presented in person.

5. *Disability or death.* In case of the disability of the registered owner, or the death of the registered owner not survived by a co-owner or a designated beneficiary, instructions should be obtained from the Treasury Department, Division of Loans and Currency, Washington, D. C., before the request for payment is executed.

6. *Method of payment.* The only agencies authorized to pay or redeem savings bonds are the Treasury Department and the Federal Reserve Banks, but bonds to be redeemed may be presented to Branches of Federal Reserve Banks. Postmasters are not authorized to make payment, but generally they will assist owners in securing payment, at or before maturity. Payment in all cases will be made by check drawn to the order of the registered owner or other person entitled to payment, and mailed to the address given in the request for payment.

7. *Partial redemption.* Partial redemption at current redemption value of a savings bond of Series E of a denomination higher than $25 (maturity value) is permitted, but must accord to an authorized denomination. In case of partial redemption the remainder will be reissued in authorized denominations bearing the same issue date as the bond surrendered.

VIII. SERIES DESIGNATION

1. United States Savings Bonds of Series E, issued during the calendar year 1942 (either as Defense or War Savings Bonds) will be designated Series E–1942, and those which may be issued in subsequent calendar years will be similarly designated by the series letter E followed by the year of issue.

IX. GENERAL PROVISIONS

1. All bonds of Series E, issued pursuant to this circular, shall be subject to the regulations prescribed from time to time by the Secretary of the Treasury to govern United States Savings Bonds. Such regulations may require, among other things, reasonable notice in case of presentation of bonds of Series E for redemption prior to maturity. The present regulations governing savings bonds are set forth in Treasury Department Circular No. 530, Fifth Revision, dated June 1, 1942, copies of which may be obtained on application to the Treasury Department, or to any Federal Reserve Bank.

2. The Secretary of the Treasury reserves the right to reject any application for bonds of Series E, in whole or in part, and to refuse to issue or permit to be issued hereunder any such bonds in any case or any class or classes of cases if he deems such action to be in the public interest, and his action in any such respect shall be final.

3. Postmasters in charge of post offices where bonds of Series E are on sale, under regulations promulgated by the Postmaster General, and Federal Reserve Banks, as fiscal agents of the United States, are authorized to perform such fiscal agency services as may be requested of them by the Secretary of the Treasury in connection with the issue, delivery, safekeeping, redemption, and payment of bonds of Series E. Other sales agencies will be subject to the provisions of Treasury Department Circular No. 657, dated April 15, 1941, as amended or supplemented.

4. The Secretary of the Treasury may at any time or from time to time supplement or amend the terms of this circular, or of any amendments or supplements thereto, information as to which will be promptly furnished to the Postmaster General, the Federal Reserve Banks and other sales agencies.

5. The offering of United States Savings Bonds of Series E, pursuant to this circular, revised, is separate and distinct from the concurrent offerings of United States Savings Bonds of Series F and of Series G, pursuant to Treasury Department Circular No. 654, Revised, dated June 1, 1942. The bonds of Series E, F and G so offered and issued constitute issues of United States War Savings Bonds, and are so designated.

[SEAL] HENRY MORGENTHAU, Jr.
Secretary of the Treasury.

OTHER SERIES

United States Savings Bonds of Series F and of Series G are also offered for sale concurrently with bonds of Series E. The bonds of Series F will be issued on a discount basis, with a 12-year maturity, at 74 percent of their maturity value; if held to maturity the yield will approximate 2.53 percent per annum. The bonds of Series G, likewise with a 12-year maturity, will be issued at par, and will bear interest at the rate of 2½ percent per annum payable semi-annually. The bonds of both series will be redeemable before maturity, at the option of owners, at fixed redemption values, in which case the investment yields will be less than if held to maturity. These bonds are intended to provide facilities for the larger investors, and registration will not be restricted to individuals. The aggregate amount of bonds of either series, or of the two series combined, originally issued to any one person during any one calendar year that may be held by that person at any one time may not exceed $100,000 (issue price). Full particulars regarding these bonds are set forth in Treasury Department Circular No. 654, Revised, dated June 1, 1942, copies of which may be obtained from the Treasury Department, Washington, or from any Federal Reserve Bank.

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[3] If bonds are issued within the United States, deliveries thereof outside the Continental United States, at the risk and expense of the United States, may be suspended during the War emergency, but in any such case bonds will be delivered to addresses within the United States, or will be held in safekeeping as the purchaser may direct.

[4] Safekeeping facilities may be offered at some Branches of Federal Reserve Banks, and in such connection an inquiry may be addressed to the Branch.

UNITED STATES SAVINGS BONDS—SERIES E

Table of Redemption Values and Investment Yields

Table showing: (1) How bonds of Series E, by denominations, increase in redemption value during successive half-year periods following issue; (2) the approximate investment yield on the purchase price from issue date to the beginning of each half-year period; and (3) the approximate investment yield on the current redemption value from the beginning of each half-year period to maturity. Yields are expressed in terms of rate percent per annum, compounded semiannually.

Maturity value / Issue price	$25.00 / 18.75	$50.00 / 37.50	$100.00 / 75.00	$500.00 / 375.00	$1,000.00 / 750.00	(2) Approximate investment yield on purchase price from issue date to beginning of each half-year period	(3) Approximate investment yield on current redemption value from beginning of each half-year period to maturity
Period after issue date	(1) Redemption values during each half-year period						
						Percent	*Percent*
First ½ year	$18.75	$37.50	$75.00	$375.00	$750.00		[1] 2.90
½ to 1 year	18.75	37.50	75.00	375.00	750.00	0.00	3.05
1 to 1½ years	18.87	37.75	75.50	377.50	755.00	.67	3.15
1½ to 2 years	19.00	38.00	76.00	380.00	760.00	.88	3.25
2 to 2½ years	19.12	38.25	76.50	382.50	765.00	.99	3.38
2½ to 3 years	19.25	38.50	77.00	385.00	770.00	1.06	3.52
3 to 3½ years	19.50	39.00	78.00	390.00	780.00	1.31	3.58
3½ to 4 years	19.75	39.50	79.00	395.00	790.00	1.49	3.66
4 to 4½ years	20.00	40.00	80.00	400.00	800.00	1.62	3.75
4½ to 5 years	20.25	40.50	81.00	405.00	810.00	1.72	3.87
5 to 5½ years	20.50	41.00	82.00	410.00	820.00	1.79	4.01
5½ to 6 years	20.75	41.50	83.00	415.00	830.00	1.85	4.18
6 to 6½ years	21.00	42.00	84.00	420.00	840.00	1.90	4.41
6½ to 7 years	21.50	43.00	86.00	430.00	860.00	2.12	4.36
7 to 7½ years	22.00	44.00	88.00	440.00	880.00	2.30	4.31
7½ to 8 years	22.50	45.00	90.00	450.00	900.00	2.45	4.26
8 to 8½ years	23.00	46.00	92.00	460.00	920.00	2.57	4.21
8½ to 9 years	23.50	47.00	94.00	470.00	940.00	2.67	4.17
9 to 9½ years	24.00	48.00	96.00	480.00	960.00	2.76	4.12
9½ to 10 years	24.50	49.00	98.00	490.00	980.00	2.84	4.08
Maturity value (10 years from issue date)	25.00	50.00	100.00	500.00	1,000.00	2.90	

[1] Approximate investment yield for entire period from issuance to maturity.

[F. R. Doc. 42-5449; Filed, June 10, 1942; 4:46 p. m.]

[1942 Dep't Circ. 654, Revised]

WAR SAVINGS BONDS, SERIES F AND SERIES G

I. OFFERING OF BONDS OF SERIES F AND SERIES G

JUNE 1, 1942.

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, offers for sale, to the people of the United States, through the Federal Reserve Banks, United States Savings Bonds of Series F and Series G, which bonds are hereby designated United States War Savings Bonds,[1] and may hereinafter be referred to as bonds of Series F and Series G. Descriptions of the bonds of both series, their terms, and the conditions of their issue and redemption are hereinafter fully set forth.

2. United States Savings Bonds of Series F and G include bonds issued as bonds of Defense Series F and G under this circular as originally published and amended, and those issued as War Savings Bonds under this circular as revised. The former bonds will be withdrawn from sale when existing stocks are exhausted, and the new bonds will then be placed on sale without further notice, and their sale will continue until terminated by the Secretary of the Treasury. As their terms and the conditions of their issue are identical, no distinction is to be made between any bonds of Series F or G, whether issued as bonds of Defense Series F or G or as War Savings Bonds.

[1] United States Savings Bonds of Series E, issued pursuant to Department Circular No. 653, Revised, dated June 1, 1942, are also included in the designation United States War Savings Bonds.

II. DESCRIPTION AND TERMS OF BONDS

1. The bonds of Series F and Series G will be issued only in registered form, in denominations of $25 (for Series F only), $100, $500, $1,000, $5,000 and $10,000 (maturity values), at prices hereinafter set forth. Each bond will bear the facsimile signature of the Secretary of the Treasury, and will bear both an imprint in color (brown for Series F and blue for Series G) and an impression of the Seal of the Treasury. At the time of issue, the issuing agent will inscribe the name and address of the owner on each bond, will enter the date as of which the bond is issued in the upper right corner, and will imprint his dating stamp (with current date) in the circle in the lower left corner. The bonds shall be valid only if duly inscribed and dated, as above provided, and delivered by an authorized agent following receipt of payment therefor.

2. The bonds of each series will, in each instance, be dated as of the first day of the month in which payment of the issue price is received by an agent authorized to issue the bonds (see Sec. III); the bonds will mature and be payable at face value 12 years from such issue date. The bonds of either series may not be called for redemption by the Secretary of the Treasury prior to maturity, but they may be redeemed prior to maturity, after six months from the issue date, at the owner's option, at fixed redemption values, as hereinafter provided.

3. *Bonds of Series F* will be issued on a discount basis at 74 percent of their maturity value. No interest as such will be paid on the bonds, but they will increase in redemption value at the end of the first year from issue date, and at the end of each successive half-year period thereafter until their maturity, when the face amount becomes payable. The increment in value will be payable only upon redemption of the bonds. A table of redemption values for each bond appears on its face. The purchase price of bonds of Series F has been fixed so as to afford an investment yield of about 2.53 percent per annum compounded semiannually if the bonds are held to maturity; if the owner exercises his option to redeem a bond prior to maturity the investment yield will be less.

4. *Bonds of Series G* will be issued at par, and will bear interest at the rate of 2½ percent per annum, payable semiannually from date of issue. Interest will be paid by check drawn to the order of the registered owner and mailed to his address. Interest will cease at maturity, or, in case of redemption before maturity, at the end of the interest period next preceding the date of redemption. A table of redemption values for each bond appears on its face, and the difference between the face amount of the bond and the redemption value fixed for any period represents an adjustment (or refund) of interest. Accordingly, if the owner exercises his option to redeem a bond prior to maturity, the investment yield will be less than the interest rate on the bonds. Bonds of Series G may be redeemed at par (1) upon the death of the owner, or a coowner, if a natural person, or (2), as to bonds held by a trustee or other fiduciary, upon the death of any person which results in termination of the trust, in whole or in part. If the trust is terminated only in part, redemption at par will be made only to the extent of the pro rata portion of the trust so terminated, to the next lower multiple of $100. In any case request for redemption at par must be made within 4 months after the date of death and in accordance with the regulations governing savings bonds.

5. Tables at the end of this circular show separately for bonds of Series F and those of Series G: (1) The redemption values, by denominations, during the successive half-year periods following issue, and (2) the computed investment yields (a) on the issue price from issue date to the beginning of each half-year period, and (b) on the current redemption value from the beginning of each half-year period to maturity at the end of the 12-year period.

6. The bonds will not be transferable, and will be payable only to the owner named thereon, except in case of death or disability of the owner or as otherwise specifically provided in the regulations

governing savings bonds, and in any event only in accordance with such regulations. Accordingly they may not be sold, and may not be hypothecated as collateral for a loan.

7. *Taxation.* For the purpose of determining taxes and tax exemptions, the increment in value of savings bonds of Series F represented by the difference between the price paid and the redemption value received therefor (whether at or before maturity) shall be considered as interest, and such interest on such bonds of Series F, and interest on bonds of Series G, is not exempt from income or profits taxes now or hereafter imposed by the United States.[2] The bonds shall be subject to estate, inheritance, gift, or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

III. PURCHASE OF BONDS

1. *Agencies.* Bonds of Series F and Series G may be purchased, while this offer is in effect, upon application to any Federal Reserve Bank or Branch, or to the Treasurer of the United States, Washington, D. C. Sales agencies, duly qualified under the provisions of Treasury Department Circular No. 657, dated April 15, 1941, as amended and supplemented, and banking institutions generally, may submit applications for account of customers, but only the Federal Reserve Banks (and Branches) and the Treasury Department are authorized to act as official agencies, and the receipt of application and payment at an official agency will govern the dating of the bonds issued.

2. *Payment for bonds.* Every application must be accompanied by payment in full of the issue price. Any form of exchange, including personal checks, will be accepted, subject to collection. Checks, or other forms of exchange, should be drawn to the order of the Federal Reserve Bank, or the Treasurer of the United States, as the case may be. Any qualified depositary, pursuant to the provisions of Treasury Department Circular No. 92 (Revised February 23, 1932, as supplemented), will be permitted to make payment by credit for bonds applied for on behalf of its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its district.

3. *Postal savings.* Subject to regulations prescribed by the Board of Trustees of the Postal Savings System, the withdrawal of postal savings deposits will be permitted for the purpose of acquiring savings bonds.

[2] For information concerning the taxable and exempt status under Federal tax laws of the interest (or increment in value of those issued on a discount basis, including bonds of Series F), and the methods of reporting such interest, see Internal Revenue Mimeograph, Coll. No. 5299, R.A. No. 1177, dated December 17, 1941.

4. *Other agencies.* The Secretary of the Treasury, in his discretion, may designate agencies other than those herein designated for the sale of, or for the handling of applications for, savings bonds of Series F and Series G.

5. *Form of application.* In applying for bonds under this circular, care should be exercised to specify whether those of Series F or Series G are desired, and there must be furnished: (1) Instructions for registration of the bonds to be issued, which must be in one of the authorized forms (see Sec. V); (2) the post office address of each person (or other entity) whose name appears in the registration; (3) address for delivery of the bonds; and (4), in case of bonds of Series G, address for mailing interest checks. The use of an official application form is desirable, but not necessary. The application should be forwarded to the Federal Reserve Bank, or Branch, of the district, accompanied by remittance to cover the purchase price ($74 for each $100 face amount of bonds of Series F, or $100 for each $100 face amount of bonds of Series G).

6. *Issue prices.* The issue prices of the various denominations of bonds of Series F and Series G follow:

SERIES F						
Denomination (maturity value)	$25.00	$100	$500	$1,000	$5,000	$10,000
Issue (purchase) price	18.50	74	370	740	3,700	7,400
SERIES G						
Denomination (maturity value)		$100	$500	$1,000	$5,000	$10,000
Issue (purchase) price		100	500	1,000	5,000	10,000

IV. LIMITATION ON HOLDINGS

1. The amount of United States Savings Bonds of Series F, or of Series G, or the combined aggregate amount of both series, originally issued during any one calendar year to any one person, including those registered in the name of that person alone, and those registered in the name of that person with another named as coowner, that may be held by that person at any one time shall not exceed $100,000 (issue price), effective for the calendar year 1942, and thereafter. Any bonds acquired on original issue which create an excess must immediately be surrendered for refund of the issue price, as provided in the regulations governing savings bonds.

V. AUTHORIZED FORMS OF REGISTRATION

1. United States Savings Bonds of Series F and Series G may be registered as follows:

(1) In the names of natural persons (that is, individuals) whether adults or minors, in their own right, as follows:

(a) In the name of one person,

(b) In the names of two (but not more than two) persons as coowners, and

(c) In the name of one person payable on death to one (but not more than one) other designated person;

(2) In the name of an incorporated or unincorporated body, in its own right (except a commercial bank, which, for this purpose, is defined as a bank that accepts demand deposits);

(3) In the name of a fiduciary; and

(4) In the name of the owner or custodian of public funds.

2. *Restrictions.* Registration is restricted, in the case of individuals, to those who are residents of the Continental United States, the Territories and Insular Possessions of the United States, the Canal Zone, the Philippine Islands, or citizens of the United States temporarily residing abroad. The same restrictions will apply to the registration of bonds in any other authorized form.

3. Full information regarding authorized forms of registration will be found in the regulations governing savings bonds (see Sec. IX, par. 1). In every form of registration, the post office address must be given, and if more than one name appears the post office address of each must be furnished.

VI. DELIVERY AND SAFEKEEPING OF BONDS

1. Federal Reserve Banks (and Branches) are authorized to deliver bonds of Series F and Series G duly inscribed and dated upon receipt of the issue price. Unless delivered in person, bonds issued will be delivered within the Continental United States, the Territories and Insular Possessions of the United States, the Canal Zone and the Philippine Islands.[3] No deliveries elsewhere will be made. If purchased by citizens of the United States temporarily residing abroad, bonds will be delivered in the United States, or held in safekeeping, as the purchaser may direct. Delivery should not be accepted by any purchaser until he has verified that the correct name and address are duly inscribed on the face of the bond, that the bond is duly dated as of the first day of the month in which payment of the issue price was received by the agent, and that the dating stamp (with current date) of the issuing agent is imprinted in the circle in the lower left corner of the bond.

2. Savings bonds of Series F or Series G will be held in safekeeping without charge by the Secretary of the Treasury if the holder so desires, and in such connection the facilities of the Federal Reserve Banks, as fiscal agents of the United States, and those of the Treasurer of the United States, will be utilized.[4] Arrangements may be made for such safekeeping at the time of purchase or subsequently.

[3] If bonds are issued within the United States, deliveries thereof outside the Continental United States, at the risk and expense of the United States, may be suspended during the War emergency, but in any such case bonds will be delivered to addresses within the United States, or will be held in safekeeping, as the purchaser may direct.

[4] Safekeeping facilities may be offered at some Branches of Federal Reserve Banks, and in such connection an inquiry may be addressed to the Branch.

VIII. PAYMENT AT MATURITY OR REDEMPTION BEFORE MATURITY

1. *General.* Any savings bond of Series F or Series G will be paid in full at maturity, or, at the option of the owner, after 6 months from the issue date, will be redeemed in whole or in part at the appropriate redemption value prior to maturity, on the first day of any calendar month, on one month's notice in writing, following presentation and surrender of the bond, with the request for payment properly executed, all in accordance with the regulations governing savings bonds.

2. *Notice of redemption.* When a savings bond of Series F or Series G is to be redeemed prior to maturity, a notice in writing of the owner's intention must be given to and be received by a Federal Reserve Bank or Branch, or the Treasury Department not less than one calendar month in advance. A duly executed request for payment will be accepted as constituting the required notice.

3. *Execution of request for payment.* The registered owner, or other person entitled to payment under the regulations governing savings bonds, must appear before one of the officers authorized by the Secretary of the Treasury to witness and certify requests for payment, establish his identity, and in the presence of such officer sign the request for payment, adding the address to which the check is to be mailed. After the request for payment has been so signed, the witnessing officer should complete and sign the certificate provided for his use. Unless otherwise authorized in a particular case, the form of request appearing on the back of the bond must be used.

4. *Officers authorized to witness and certify requests for payment.* The officers authorized to witness and certify requests for payment of savings bonds are fully set forth in the regulations governing savings bonds, such officers including United States postmasters and certain other post office officials, and the executive officers of all banks and trust companies incorporated in the United States or its organized Territories, including officers at domestic and foreign branches who are certified to the Treasury Department as executive officers.

5. *Presentation and surrender.* After the request for payment has been duly executed by the person entitled and by the certifying officer, the bond must be presented and surrendered to a Federal Reserve Bank or Branch, or to the Treasury Department, Washington, at the expense and risk of the owner. For the owner's protection, the bond should be forwarded by registered mail, if not presented in person.

6. *Disability or death.* In case of the disability of the registered owner, or the death of the registered owner not survived by a coowner or a designated beneficiary, instructions should be obtained from the Treasury Department, Division of Loans and Currency, Washington, D. C., before the request for payment is executed.

7. *Method of payment.* The only agencies authorized to pay or redeem savings bonds are the Federal Reserve Banks and the Treasury Department. Payment in all cases will be made by check drawn to the order of the registered owner or other person entitled to payment, and mailed to the address given in the request for payment.

8. *Partial redemption.* Partial redemption at current redemption value of a bond of Series F, of a denomination higher than $25 (maturity value), or of a bond of Series G, of a denomination higher than $100, is permitted, but must correspond to an authorized denomination. In case of partial redemption the remainder will be reissued in authorized denominations bearing the same issue date as the bond surrendered.

VIII. SERIES DESIGNATION

1. Bonds of Series F, issued during the calendar year 1942 (either as Defense Series or as War Savings Bonds) will be designated Series F–1942, and those of Series G will be similarly designated Series G–1942. Bonds of either series which may be issued in subsequent calendar years will be similarly designated by the series letter, F or G, followed by the year of issue.

IX. GENERAL PROVISIONS

1. All bonds of Series F and Series G, issued pursuant to this circular, shall be subject to the regulations prescribed from time to time by the Secretary of the Treasury to govern United States Savings Bonds. The present regulations governing savings bonds are set forth in Treasury Department Circular No. 530, Fifth Revision, dated June 1, 1942, copies of which may be obtained on application to the Treasury Department, or to any Federal Reserve Bank.

2. The Secretary of the Treasury reserves the right to reject any application for savings bonds of either Series F or Series G, in whole or in part, and to refuse to issue or permit to be issued hereunder any such savings bonds in any case or any class or classes of cases if he deems such action to be in the public interest, and his action in any such respect shall be final.

3. Federal Reserve Banks, as fiscal agents of the United States, are authorized to perform such services as may be requested of them by the Secretary of the Treasury in connection with the issue, delivery, safekeeping, redemption, and payment of savings bonds of Series F and Series G.

4. The Secretary of the Treasury may at any time or from time to time supplement or amend the terms of this circular, or of any amendments or supplements thereto, information as to which will be promptly furnished the Federal Reserve Banks.

5. The offerings of United States Savings Bonds of Series F and of Series G, pursuant to this circular, revised, are separate and distinct from the concurrent offering of United States Savings Bonds of Series E pursuant to Department Circular No. 653, Revised, dated June 1, 1942. The bonds of Series E, F and G so offered and issued constitute issues of United States War Savings Bonds, and are so designated.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

OTHER SERIES

United States Savings Bonds of Series E are also offered for sale concurrently with those of Series F and Series G. They are intended primarily for the investment of small or moderate amounts saved from current income by individuals, and their issue is restricted to individuals in their own right, with the amount originally issued to any one person during any one calendar year that that person may hold limited to $5,000 (maturity value). Full particulars regarding Savings Bonds of Series E are set forth in Treasury Department Circular No. 653, Revised, dated June 1, 1942, copies of which may be obtained from the Treasury Department, Washington, or from any Federal Reserve Bank.

UNITED STATES SAVINGS BONDS—SERIES F

Table of Redemption Values and Investment Yields

Table showing: (1) How United States Savings Bonds of Series F, by denominations, increase in redemption value during successive half-year periods following issue; (2) the approximate investment yield on the purchase price from issue date to the beginning of each half-year period; and (3) the approximate investment yield on the current redemption value from the beginning of each half-year period to maturity. Yields are expressed in terms of rate percent per annum, compounded semiannually.

Maturity value / Issue price	$25.00 / $18.50	$100.00 / $74.00	$500.00 / $370.00	$1,000 / $740	$5,000 / $3,700	$10,000 / $7,400	(2) Approximate investment yield on purchase price from issue date to beginning of each half-year period	(3) Approximate investment yield on current redemption value from beginning of each half-year period to maturity
Period after issue date	(1) Redemption values during each half-year period							
							Percent	*Percent*
First ½ year	Not redeemable							[1] 2.53
½ to 1 year	$18.50	$74.00	$370.00	$740	$3,700	$7,400	0.00	2.64
1 to 1½ years	18.55	74.20	371.00	742	3,710	7,420	.27	2.73
1½ to 2 years	18.62	74.50	372.50	745	3,725	7,450	.45	2.82
2 to 2½ years	18.72	74.90	374.50	749	3,745	7,490	.61	2.91
2½ to 3 years	18.85	75.40	377.00	754	3,770	7,540	.75	2.99
3 to 3½ years	19.00	76.00	380.00	760	3,800	7,600	.89	3.07
3½ to 4 years	19.17	76.70	383.50	767	3,835	7,670	1.03	3.15
4 to 4½ years	19.40	77.60	388.00	776	3,880	7,760	1.19	3.20
4½ to 5 years	19.65	78.60	393.00	786	3,930	7,860	1.34	3.24
5 to 5½ years	19.92	79.70	398.50	797	3,985	7,970	1.49	3.27
5½ to 6 years	20.22	80.90	404.50	809	4,045	8,090	1.63	3.29

[1] Approximate investment yield for entire period from issuance to maturity.

UNITED STATES SAVINGS BONDS—SERIES F—continued

Table of Redemption Values and Investment Yields—Continued

Maturity value Issue price	$25.00 $18.50	$100.00 $74.00	$500.00 $370.00	$1,000 $740	$5,000 $3,700	$10,000 $7,400	(2) Approximate investment yield on purchase price from issue date to beginning of each half-year period	(3) Approximate investment yield on current redemption value from beginning of each half-year period to maturity
Period after issue date	(1) Redemption values during each half-year period							
							Percent	*Percent*
6 to 6½ years	$20.55	$82.20	$411.00	$822	$4,110	$8,220	1.76	3.29
6½ to 7 years	20.87	83.50	417.50	835	4,175	8,350	1.87	3.31
7 to 7½ years	21.20	84.80	424.00	848	4,240	8,480	1.96	3.32
7½ to 8 years	21.52	86.10	430.50	861	4,305	8,610	2.03	3.35
8 to 8½ years	21.85	87.40	437.00	874	4,370	8,740	2.09	3.40
8½ to 9 years	22.17	88.70	443.50	887	4,435	8,870	2.14	3.46
9 to 9½ years	22.50	90.00	450.00	900	4,500	9,000	2.19	3.54
9½ to 10 years	22.85	91.40	457.00	914	4,570	9,140	2.24	3.63
10 to 10½ years	23.22	92.90	464.50	929	4,645	9,290	2.29	3.72
10½ to 11 years	23.62	94.50	472.50	945	4,725	9,450	2.34	3.81
11 to 11½ years	24.05	96.20	481.00	962	4,810	9,620	2.40	3.91
11½ to 12 years	24.50	98.00	490.00	980	4,900	9,800	2.46	4.08
Maturity value (12 years from issue date)	25.00	100.00	500.00	1,000	5,000	10,000	2.53	

UNITED STATES SAVINGS BONDS—SERIES G

Table of Redemption Values and Investment Yields

Table showing: (1) How United States Savings Bonds of Series G (paying a current return at the rate of 2½ percent per annum on the purchase price, payable semiannually) change in redemption value, by denominations, during successive half-year periods following issue; (2) the approximate investment yield on the purchase price from issue date to the beginning of each half-year period; and (3) the approximate investment yield on the current redemption value from the beginning of each half-year period to maturity. Yields are expressed in terms of rate percent per annum, compounded semiannually, and take into account the current return.

Maturity value Issue price	$100.00 100.00	$500.00 500.00	$1,000 1,000	$5,000 5,000	$10,000 10,000	(2) Approximate investment yield on purchase price from issue date to beginning of each half-year period.	(3) Approximate investment yield on current redemption value from beginning of each half-year period to maturity.
Period after issue date	(1) Redemption values during each half-year period						
						Percent	*Percent*
First ½ year	Not redeemable						[1] 2.50
½ to 1 year	$98.80	$494.00	$988	$4,940	$9,880	0.10	2.62
1 to 1½ years	97.80	489.00	978	4,890	9,780	.30	2.73
1½ to 2 years	96.90	484.50	969	4,845	9,690	.44	2.84
2 to 2½ years	96.20	481.00	962	4,810	9,620	.61	2.94
2½ to 3 years	95.60	478.00	956	4,780	9,560	.75	3.04
3 to 3½ years	95.10	475.50	951	4,755	9,510	.88	3.13
3½ to 4 years	94.80	474.00	948	4,740	9,480	1.04	3.20
4 to 4½ years	94.70	473.50	947	4,735	9,470	1.20	3.26
4½ to 5 years	94.70	473.50	947	4,735	9,470	1.35	3.30
5 to 5½ years	94.90	474.50	949	4,745	9,490	1.51	3.32
5½ to 6 years	95.20	476.00	952	4,760	9,520	1.66	3.33
6 to 6½ years	95.50	477.50	955	4,775	9,550	1.79	3.33
6½ to 7 years	95.80	479.00	958	4,790	9,580	1.89	3.34
7 to 7½ years	96.10	480.50	961	4,805	9,610	1.98	3.35
7½ to 8 years	96.40	482.00	964	4,820	9,640	2.05	3.37
8 to 8½ years	96.70	483.50	967	4,835	9,670	2.12	3.39
8½ to 9 years	97.00	485.00	970	4,850	9,700	2.18	3.42
9 to 9½ years	97.30	486.50	973	4,865	9,730	2.23	3.46
9½ to 10 years	97.60	488.00	976	4,880	9,760	2.27	3.51
10 to 10½ years	97.90	489.50	979	4,895	9,790	2.31	3.60
10½ to 11 years	98.20	491.00	982	4,910	9,820	2.35	3.75
11 to 11½ years	98.60	493.00	986	4,930	9,860	2.39	3.94
11½ to 12 years	99.20	496.00	992	4,960	9,920	2.44	4.13
Maturity value (12 years from issue date)	100.00	500.00	1,000	5,000	10,000	2.50	

[1] Approximate investment yield for entire period from issuance to maturity.

[F. R. Doc. 42-5448; Filed, June 10, 1942; 4:47 p. m.]

WAR DEPARTMENT.

[Public Proclamation No. 6]

PERSONS OF JAPANESE ANCESTRY IN CALIFORNIA PORTION OF MILITARY AREA NO. 2

ADDITIONAL REGULATIONS FOR CONDUCT

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California

JUNE 2, 1942.

To: The People within the State of California, and to the Public Generally:

Whereas by Public Proclamation No. 1,[1] dated March 2, 1942, this headquarters, there was designated and established Military Area No. 2, and

Whereas the present military situation requires, as a matter of military necessity, additional regulations pertaining to all persons of Japanese ancestry, both alien and non-alien, who are in that portion of Military Area No. 2 lying within the State of California:

Now, therefore, I, J. L. DeWitt, Lieutenant General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General, Western Defense Command, do hereby declare and establish the following additional regulations covering the conduct to be observed by all persons of Japanese ancestry, both alien and non-alien, residing or being in that portion of the State of California lying within the Military Area above described:

1. Effective at 12:00 o'clock noon, P. W. T., June 2, 1942, all alien Japanese and persons of Japanese ancestry who are within the said California portion of Military Area No. 2, be and they are hereby prohibited from leaving that area for any purpose until and to the extent that a future proclamation or order of this headquarters shall so permit or direct.

2. No person of Japanese ancestry, whether alien or non-alien, who is now outside of Military Area No. 1 or outside of the said California portion of Military Area No. 2, shall enter either of said areas unless expressly authorized so to do by this headquarters.

3. The hours between 8 p. m. and 6 a. m. are hereby designated as the hours of curfew. Effective at 12:00 o'clock noon, P. W. T., June 2, 1942, all persons of Japanese ancestry, both alien and non-alien, residing or being within the said California portion of Military Area No. 2, shall, during the hours of curfew, be within their places of residence, or if any such persons have no places of residence therein, then they shall be in their temporary places of abode. At all times

[1] 7 F.R. 2320.

other than during the hours of curfew, or except as expressly authorized by order of this headquarters, all such persons shall be not more than 10 miles from their places of residence or, if any such persons have no places of residence, then not more than 10 miles from their temporary places of abode, unless traveling between such points and the places of their regular employment.

4. Nothing in paragraph 3 hereof shall be construed as prohibiting any of the above-specified persons from visiting, during non-curfew hours, the nearest United States Post Office, United States Employment Service Office or office operated or maintained by the Wartime Civil Control Administration, State and Federal courts and public offices, for the purpose of transacting any business or the making of any arrangements necessary to prepare for evacuation or to accomplish compliance with exclusion orders hereafter to be issued.

5. The following classes of persons of Japanese ancestry are hereby authorized to be temporarily exempted or deferred from future exclusion and evacuation upon furnishing satisfactory proof as provided in Proclamation No. 5, dated March 30, 1942:

(a) Patients in hospitals or confined elsewhere, and too ill or incapacitated to be removed therefrom without danger of life;

(b) Inmates of orphanages and the totally deaf, dumb or blind.

6. All alien Japanese and all persons of Japanese ancestry will be excluded from said California portion of Military Area No. 2 by future orders or proclamations of this Headquarters.

7. Any persons violating this Proclamation will be subject to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled: "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing Any Act in Military Areas or Zones." In the case of any alien enemy, such person will in addition be subject to immediate apprehension and internment.

[SEAL] J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-5442; Filed, June 10, 1942; 3:29 p. m.]

[Civilian Exclusion Order No. 99]

YOLO COUNTY, CALIFORNIA

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California

MAY 30, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1 [1] and 2 [2], this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Saturday, June 6, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All that portion of the County of Yolo, State of California, lying southerly of the north line of U. S. Highway No. 40.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Sunday, May 31, 1942, or during the same hours on Monday, June 1, 1942, to the Civil Control Station located at: Clarksburg Grammar School, Clarksburg, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Saturday, June 6, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

4. All persons within the bounds of an established Assembly Center pursuant to instructions from this Headquarters are excepted from the provisions of this order while those persons are in such Assembly Center.

[SEAL] J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-5441; Filed, June 10, 1942; 3:28 p. m.]

FIXED TEXT CABLES FOR ARMED FORCES STATIONED OUTSIDE U. S.

Fixed text personal cables and radiograms to and from members of the armed forces stationed outside the continental limits of the United States.

EFM oversea radio and cable messages—(1) *General.* Arrangements have been made by the War Department for the handling of fixed text personal cables and radiograms to and from members of the armed forces stationed outside the continental limits of the United States where commercial facilities are available and the military situation permits. These messages will be identified as EFM (Expeditionary Forces Messages) and will consist of not more than three of the authorized numbered fixed texts in any one message (see par. 4). With few exceptions the EFM message will cost 60 cents excluding Federal tax. Each command will be advised direct of the rate to his location and when service is available. The communications companies will print and make available in all their local stations special EFM forms with the fixed text approved by the War Department shown on the back thereof.

(2) *Outgoing messages.* (a) Messages can be filed at any commercial telegraph, cable, or radio office in the continental limits of the United States at which place there will be filed a list of all APO's to which messages may be dispatched. Each Army post office has been assigned a two word address consisting of a six-letter word, the first two letters of which will be "AM——" and an eight-letter word such as 'WATCHDOG." The first word is the APO cable address and the second is the "routing word." Outgoing messages will be addressed showing grade, name, and serial number of addressee, the APO cable address, and the routing word. The correct cable address and routing word of the APO concerned will be available at all local telegraph, cable, or radio offices authorized to receive these messages. Example of correct address:

Private John L. Wilson ASN 13286272
AMTRAG
WATCHDOG

(b) Fixed text messages will be filed on EFM forms. Each message will reach the censorship station in the course of normal routine where the proper country will be substituted for the routing word by Army personnel. The message will then be censored and returned to the communications company for transmission.

(c) When the message is received at the foreign cable or radio station, it will be turned over to Army postal agencies as designated by the APO cable address for delivery to addressee. Formal delivery will normally be accomplished through Army postal channels, but local commanders may vary this as they see fit, provided that suitable records are kept to prove delivery.

(3) *Incoming messages.* To insure censorship it has been agreed that all messages from troops overseas will be accepted at local APO's or other Army postal agency by designated clerks who will make cash collection—no charge accounts—giving suitable receipt therefor. Censorship will be accomplished in the same manner prescribed for censorship of ordinary mail and the messages then transmitted to the local communications company in accordance with such procedure as may be agreed upon locally. All messages received in this country will show "Sans Origine" and must bear the APO cable address and normal signature of the individual without grade, unit, or arm or service. The signature will be limited to three words or initials, one of which must be a surname.

(4) *Fixed texts for EFM messages*—(a) *Correspondence.*

1. Letter Received Many Thanks.
2. Letters Received Many Thanks.
3. Telegram Received Many Thanks.
4. Parcel Received Many Thanks.
5. Parcels Received Many Thanks.
6. Letters and Parcels Received Many Thanks.
7. Letter and Telegram Received Many Thanks.
8. Telegram and Parcels Received Many Thanks.

[1] 7 F.R. 2320.
[2] 7 F.R. 2405.

9. Letters Sent.
10. Parcels Sent.
11. Letters and Parcels Sent.
12. Many Thanks for Letter.
13. Many Thanks for Parcel.
14. Many Thanks for Telegram.
15. No News of You for Some Time.
16. Writing.
17. Urgent.
18. Please Write or Telegraph.
19. Please Write.
20. Please Telegraph.
21. Please Reply Worried.
22 to 25 blank.

(b) *Greetings.*

26. Greetings.
27. Loving Greetings.
28. Fondest Greetings.
29. Love.
30. Darling.
31. All My Love.
32. All My Love Dearest.
33. All Our Love.
34. Fondest Love.
35. Fondest Love Darling.
36. Best Wishes.
37. Greetings From Us All.
38. Loving Greetings From All of Us.
39. Best Wishes From All of Us.
40. Fondest Wishes From All of Us.
41. Best Wishes and Good Health.
42. Kisses.
43. Love and Kisses.
44. Fondest Love and Kisses.
45. Well.
46. All Well at Home.
47. Best Wishes for Christmas.
48. Best Wishes for Christmas and New Year.
49. Loving Wishes for Christmas.
50. Loving Wishes for Christmas and New Year.
51. Loving Christmas Thoughts.
52. Happy Christmas.
53. Happy Christmas and New Year.
54. Good Luck.
55. Keep Smiling.
56. My Thoughts Are With You.
57. Many Happy Returns.
58. Birthday Greetings.
59. Loving Birthday Greetings.
60. Happy Anniversary.
61. You Are More Than Ever in My Thoughts at This Time.
62. Best Wishes for a Speedy Return.
63. Good Show Keep It Up.
64 to 67 blank.

(c) *Health.*

68. Family All Well.
69. All Well Children Evacuated.
70. All Well Children Returned Home.
71. All Well and Safe.
72. Are You All Right.
73. Are You All Right Worried About You.
74. Please Don't Worry.
75. Hope You Are Improving.
76. Please Telegraph That You Are Well.
77. Are You Ill.
78. Have You Been Ill.
79. Illness Is Not Serious.
80. Illness Is Serious.
81. I Have Left Hospital.
82. In Bad Health.
83. Health Improving.
84. Health Fully Restored.
85. Son Born.
86. Daughter Born.
87 to 90 blank.

(d) *Promotion.*

91. Congratulations On Your Promotion.
92. Very Pleased to Hear of Your Promotion.
93. Delighted Hear About Your Promotion.
94 to 97 blank.

(e) *Money.*

98. Please Send Me _____ Pounds.
99. Please Send Me _____ Dollars.
100. Have Sent You _____ Pounds.
101. Have Sent You _____ Dollars.

NOTE: The actual amount in words to be inserted and transmitted immediately following the text number.

102. Can You Send Me Any Money.
103. Glad If You Could Send Some Money.
104. Have Received Money.
105. Have You Received Money.
106. Have You Sent Money.
107. Thanks For Money Received.
108. Have Not Received Money.
109. Unable To Send Money.
110. Sorry Cannot Send Money.
111 to 114 blank.

(f) *Congratulations.*

115. Congratulations On Anniversary Best Wishes.
116. Congratulations Lasting Happiness To You Both.
117. Glad And Proud To Hear Of Your Decoration Everybody Thrilled.
118. Loving Greetings And Congratulations.
119. Good Luck Keep It Up.
120. I Wish We Were Together On This Special Occasion All My Best Wishes For A Speedy Reunion.
121 to 134 blank.

(g) *Miscellaneous.*

135. Very Happy To Hear From You Dearest Am Fit And Well.
136. Hearing Your Voice On The Wireless Gave Me A Wonderful Thrill.

(R. S. 161; 5 U.S.C. 22) [Cir. 170, W.D. June 2, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-5475; Filed, June 11, 1942; 11:26 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1452]

PETITION OF BITUMINOUS COAL CONSUMERS' COUNSEL FOR AMENDMENT OF THE MARKETING RULES AND REGULATIONS

NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on July 7, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street, N. W., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Scott A. Dahlquist or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 2, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to:

1. The petition of the Bituminous Coal Consumers' Counsel for amendment of Rule 1 (J) of section VII of the Marketing Rules and Regulations, by adding thereto the following clause:

And provided further, That interest need not be charged on shipments to the War Department for the duration of the war, and for six months thereafter.

Evidence may also be presented as to whether or not it is proper to amend Rules 1 (I) and (J) of section VII of the Marketing Rules and Regulations as they apply to any particular agency of the Federal Government or of a state or local government because of its difficulties in making prompt payment for coal or prepaid transportation charges, or both, by reason of requirements imposed upon it by law or otherwise.

Dated: June 10, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-5481; Filed, June 11, 1942; 11:40 a. m.]

[Docket No. D-19]

EASTERN GAS AND FUEL ASSOCIATES

ORDER POSTPONING HEARING

In the matter of the application of Eastern Gas and Fuel Associates (successors to the Koppers Coal Company) for permission to receive distributors' discounts on coal purchased by it and resold to Koppers Company.

The above-entitled matter by Order dated May 6, 1942, having been scheduled for hearing on June 15, 1942, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C.; and

Applicant having filed a motion on June 4, 1942, for a postponement of said hearing, and it being represented to the Division that applicant is not now accepting distributors' discounts from the established minimum prices on coal purchased and resold by it to Koppers Company, and

It appearing appropriate to postpone the hearing;

It is ordered, That the hearing in the above-entitled matter be postponed from 10:00 a. m. on June 15, 1942, to a time and place and before an Examiner to be hereafter designated by a proper Order of the Division.

Dated: June 10, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-5482; Filed, June 11, 1942; 11:40 a. m.]

[Docket Nos. A-1451, A-1451 Part II]

DISTRICT BOARD NO. 8—WEST VIRGINIA COAL & COKE CORP.

MEMORANDUM OPINION AND ORDER SEVERING DOCKETS, GRANTING TEMPORARY RELIEF, AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

In the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of the Number 15 Mine of the West Virginia Coal & Coke Corporation.

The original petition in the above-entitled matter filed with this Division on May 12, 1942, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requests of the issuance of orders establishing temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 8.

As was found in a separate order issued in Docket No. A-1451, a reasonable showing of necessity has been made for the granting of the relief prayed for by petitioner except in so far as the establishment of permanent price classifications and minimum prices for the coals of the Number 15 Mine (Mine Index No. 5556) of the West Virginia Coal & Coke Corporation is concerned. With respect to permanent price classifications and minimum prices for this mine, it appears that a hearing should be held in view of the circumstances involved. On the basis of data available to the Division, it appears, however, that temporary relief for the coals of this mine should be granted as prayed in the original petition.

It appears that the original petition proposed classification "E" in Size Groups 15, 16 and 17 for the coals of the Number 15 Mine (Mine Index No. 5556) of the West Virginia Coal & Coke Corporation for all shipments except truck, and minimum prices of 215 cents in Size Group 3 and 205 cents in Size Group 6 for this mine for truck shipments. West Virginia Coal & Coke Corporation intervened protesting the classification "E" and requesting classification "G" in Size Groups 15, 16 and 17 for all shipments except truck, alleging that due to excess breakage in handling, and the chemical and physical characteristics of the coal, it will not be able to market the coal at the higher classification.

It appears therefore that a hearing should be ordered to determine the proper permanent classifications and minimum prices for the coals of this mine.

It is ordered, That the portion of Docket No. A-1451 relating to the Number 15 Mine (Mine Index No. 5556) of the West Virginia Coal & Coke Corporation be and the same hereby is severed from the remainder of Docket No. A-1451 and designated as Docket No. A-1451 Part II.

It is further ordered, That a hearing in Docket No. A-1451 Part II under the applicable provisions of said Act and the rules of the Division be held on July 7, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preisde at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 2, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of the Number 15 Mine (Mine Index No. 5556) of the West Virginia Coal & Coke Corporation in District No. 8.

It is further ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith the Schedules of Effective Minimum Prices for District No. 8 For All Shipments Except Truck and For Truck Shipments are supplemented to include price classification "E" in Size Groups 15, 16 and 17 for the coals of the No. 15 Mine (Mine Index No. 5556) of the West Virginia Coal and Coke Corporation for all shipments except truck, and minimum prices of 215 cents in Size Group 3 and 205 cents in Size Group 6 for the coals of this mine for truck shipments.

Notice is hereby given that applications to stay, modify or terminate the temporary relief granted in this order may be filed in accordance with the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: June 10, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-5479; Filed, June 11, 1942; 11:39 a. m.]

[Docket No. A-1421]

SUMMIT COAL MINING COMPANY

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF

In the matter of the petition of Summit Coal Mining Company, (Roy H. Friel), for establishment of an additional shipping point for coals of Mine Index Nos. 833, 2224, 2394, for all shipments except truck.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment of an additional shipping point for coals of its Summit Nos. 1, 2, and 3 mines (Mine Index Nos. 2394, 833, and 2224, respectively), in District No. 1 for rail shipments from Glen Campbell, Pennsylvania, on Pennsylvania Railroad; and

It appearing that a reasonable showing of necessity has been made for the granting of relief in the manner hereinafter set forth, and no petitions of intervention having been filed with the Division in the above-entitled matter, and the following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted, as follows: Commercing forthwith, the Schedule of Effective Minimum Prices for District No. 1 For All Shipments Except Truck is supplemented to make the price classifications and minimum prices effective for the coals of the Summit Nos. 1, 2, and 3 Mines, Mine Index Nos. 833, 2224, and

2394, of Summit Coal Mining Company applicable for rail shipments as set forth in the Schedule marked "Supplement R" annexed hereto and hereby made a part hereof.

Dated: June 4, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-5480; Filed, June 11, 1942; 11:41 a. m.]

Bureau of Reclamation.

CENTRAL VALLEY PROJECT, CALIFORNIA

FIRST FORM RECLAMATION WITHDRAWAL

MAY 25, 1942.

THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 26, 1936 (49 Stat. 1976), it is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal as provided in section 3, Act of June 17, 1902 (32 Stat. 388).

CENTRAL VALLEY PROJECT

MOUNT DIABLO MERIDIAN, CALIFORNIA

Township 31 North, Range 5 West:
Section 16, E½;
Section 21, N½NE¼.
Township 32 North, Range 5 West:
Section 1, NE¼;
Section 10, Lots 3, 4, 5, 6, 7, 8, 9, 10;
Section 15, Lot 2, E½NW¼, SW¼.

Respectfully,

JOHN C. PAGE,
Commissioner.

I concur, May 27, 1942.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

E. K. BURLEW,
First Assistant Secretary.

JUNE 3, 1942.

[F. R. Doc. 42-5439; Filed, June 10, 1942; 3:28 p. m.]

TRUCKEE RIVER STORAGE PROJECT, CALIFORNIA-NEVADA

FIRST FORM RECLAMATION WITHDRAWAL

MARCH 26, 1942.

THE SECRETARY OF THE INTERIOR.

Sir: In accordance with the authority vested in you by the Act of June 28, 1934, (48 Stat. 1269) as amended, it is recommended that the following described lands be withdrawn from public entry under the first form withdrawal, as provided in section 3, Act of June 17, 1902, (32 Stat. 388), and that departmental order of November 3, 1936, establishing Grazing District No. 3, Nevada, be modified and made subject to the reclamation withdrawal effected by this order.

DIAMOND VALLEY RESERVOIR SITE

TRUCKEE RIVER STORAGE PROJECT

Mount Diablo Meridian, California-Nevada

Township 11 North, Range 19, East:
Section 25, NE¼SE¼;
Township 11 North, Range 20, East:
Section 30, N½S½, SE¼SE¼;
Section 31, SW¼SE¼;
Section 32, NE½NE¼, S½NE¼.

Respectfully,

H. W. BASHORE,
Acting Commissioner.

I concur, May 20, 1942.

R. H. RUTLEDGE,
Director of the Grazing Service.

I concur, May 27, 1942.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

E. K. BURLEW,
First Assistant Secretary.

JUNE 3, 1942.

[F. R. Doc. 42-5440; Filed, June 10, 1942; 3:28 p. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Agency.

[Northeast Division NER-500-A-4]

SPECIAL 1941 AGRICULTURAL CONSERVATION PROGRAMS FOR THE NORTHEAST REGION

APPLICATIONS FOR PAYMENT

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act (49 Stat. 1148), as amended, NER-500-A, the Special 1941 Agricultural Conservation Programs for the Northeast Region, section X, subsections A and B are amended to read as follows:

A. *Persons eligible to file applications.* An application for payment with respect to a farm may be made by any person for whom, under the provisions of section III, a share in the payment with respect to the farm may be computed and (1) who is determined by the county committee to be entitled as of the time of harvest, to share in any of the crops grown on the farm under a lease or operating agreement or as owner-operator, or who is a landlord, tenant, or sharecropper who lost his interest in the general soil-depleting crops or any crops for which special crop acreage allotments are determined, after planting but prior to harvest thereof, by reason of the acquisition of title to, or lease of, his farm in the national defense program and who did not otherwise receive full compensation for the amount of the payments in connection with such acquisition of title or lease, or (2) who is owner or operator of such farm and participates thereon in 1941 in carrying out approved soil-building practices.

B. *Time and manner of filing application and information required.* Payment will be made only upon application submitted through the county office on or before April 30, 1942, except (1) the timely filing of an application by one person on a farm shall constitute a timely filing on behalf of all persons on that farm, and (2) an application for payment may be accepted if the county and State committees determine that the failure to file the timely application was not due to the fault of the applicant. Applications filed under exceptions (1) and (2) above must be filed before expiration of the period for obligating the appropriation (June 30, 1943).

The Secretary reserves the right (1) to withhold payment from any applicant who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if any form or information required is not submitted to the county office within the time fixed by the regional director.

At least two weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms, and any time limit fixed shall be such as affords a full and fair opportunity to those eligible to file the form within the period prescribed. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

Done at Washington, D. C. this 11th day of June, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42-5468; Filed, June 11, 1942; 11:20 a. m.]

Farm Security Administration.

LOCALITIES DESIGNATED FOR LOANS

ALABAMA

Designation of localities in county in which loans pursuant to title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION V—ALABAMA

Blount County: Locality I—Consisting of precincts 2, 3, 4, 5, 6, 7, 8, 12, 15, 17, 22, 28, 32, 33, 38, and 39, $1,892.

Locality II—Consisting of precincts 1, 19, 20, 21, and 23, $1,703.
Locality III—Consisting of precincts 9, 10, 34, 36, and 37, $1,728.
Locality IV—Consisting of precincts 11, 13, 14, 16, 18, 24, 25, 26, 27, 29, 30, 31, and 35, $1,626.

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved June 5, 1942.

[SEAL] C. B. BALDWIN,
Administrator.

[F. R. Doc. 42-5469; Filed, June 11, 1942; 11:20 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

OPEN-CUT SAPPHIRE MINING

EXEMPTION AS SEASONAL INDUSTRY

In the matter of application for exemption of the mining of sapphires from surface or open-cuts from the maximum hours provisions of the Fair Labor Standards Act of 1938 as an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder.

Whereas, an application has been filed by the American Gem Mines, Philipsburg, Montana, for the exemption of the mining of sapphires from surface or open-cuts from the maximum hours provisions of the Fair Labor Standards Act as an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder; and

Whereas, it appeared from said application and upon further investigation that:

1. All or practically all of the sapphires produced in the United States are mined from surface or open-cuts in the State of Montana by hydraulic methods.

2. The mining of sapphires from surface or open-cuts by methods employing hydraulicking is characterized by annually recurrent cessation of operations caused by freezing temperatures and water shortage.

3. Except for maintenance, repair and sales work, the mining of sapphires from surface or open-cuts by methods employing hydraulicking in the State of Montana ceases completely at regularly recurring times of the year for a period of approximately six months or more because due to climatic or other natural conditions the materials employed by the industry are not available in the form in which they are handled or processed.

Whereas, on January 31, 1942, the Administrator of the Wage and Hour Division caused to be published in the FEDERAL REGISTER a notice which set forth the foregoing and which stated (a) Upon consideration of the aforesaid facts, the Administrator determined, pursuant to § 526.5 (b) (ii) of the regulations, that a prima facie case had been shown for the granting of an exemption, pursuant to section 7 (b) (3) of the Fair Labor Standards Act of 1938 and Part 526 of the regulations issued thereunder, to the mining of sapphires from surface or open-cuts by methods employing hydraulicking in the State of Montana; that (b) in accordance with the procedure established by § 526.5 (b) (ii) of the regulations, the Administrator for fifteen days thereafter would receive objection to the granting of the exemption and request for hearing by any interested person, and upon receipt thereof would set the application for hearing before himself or an authorized representative; and that (c) if no objection and request for hearing was received within fifteen days, the Administrator would make a finding upon the prima facie case.

Whereas, no objection and request for hearing was received by the Administrator within the said fifteen days;

Now, therefore, pursuant to § 526.5 (b) (ii) of the regulations, as amended, the Administrator hereby finds upon the prima facie case shown in the said application that the mining of sapphires from surface or open-cuts by methods employing hydraulicking in the State of Montana is an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Fair Labor Standards Act of 1938 and regulations issued thereunder, and, therefore, is entitled to the exemption provided in section 7 (b) (3) of the said Act.

Signed at New York, New York, this 9th day of June 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-5461; Filed, June 11, 1942; 10:17 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4714]

JOHN HANLEY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 9th day of June, A. D. 1942.

In the matter of John Hanley, an individual.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 USCA, section 41),

It is ordered, That John W. Norwood, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, June 17, 1942, at nine o'clock in the forenoon of that day (eastern standard time) in Room 921, Federal Building, Detroit, Michigan.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-5463; Filed, June 11, 1942; 10:51 a. m.]

[Docket No. 4720]

SLAGTER OIL & GREASE COMPANY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 9th day of June, A. D. 1942.

In the matter of Slagter Oil & Grease Company, a corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That John W. Norwood, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, June 19, 1942, at ten o'clock in the forenoon of that day (central standard time) in Room 246, Assistant Custodian's Office, United States Post Office, Milwaukee, Wisconsin.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-5464; Filed, June 11, 1942; 10:51 a. m.]

INTERSTATE COMMERCE COMMISSION.

EMERGENCY DIVERSION OF FREIGHT BY COMMON CARRIERS BY MOTOR VEHICLE TO OTHER SUCH CARRIERS

JUNE 8, 1942.

In view of the need to conserve the facilities of motor common carriers, to expedite the transportation and delivery of war materials and other freight for the purpose of successfully prosecuting the war, to facilitate the accomplishment of the purposes of General Order O. D. T. No. 3,[1] and to promote the public interest, the Commission, for the period ending December 31, 1944, unless otherwise

[1] 7 F.R. 3004, 4118, 4184.

ordered, has authorized and directed all common carriers by motor vehicle, where necessary to further the purposes and comply with the requirements of said General Order O. D. T. No. 3, to:

(1) Depart from and disregard routing specified in bills of lading and tariff routing provisions.

(2) Accept and transport traffic diverted to them.

The order also prescribed rules for determining applicable rates and divisions of revenue on such diverted traffic and directs common carriers by motor vehicle to immediately publish, effective on one day's notice, appropriate tariff provisions stating how the applicable rates are to be determined.

The Commission realizes that because of its wide application, rates prescribed and divisions suggested in the order may not be entirely fair under all conditions that may exist, but confidence is felt that the carriers will cooperate among themselves in effecting a fair settlement of all problems that may arise.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 42-5483; Filed, June 11, 1942; 11:00 a. m.]

OFFICE OF PRICE ADMINISTRATION.

COLE HOT BLAST MANUFACTURING COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 4 under Revised Price Schedule No. 64 [1]—Domestic Cooking and Heating Stoves.

On February 23, 1942, Cole Hot Blast Manufacturing Company of Chicago, Illinois, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of maximum prices for four coal burning heating stoves, designated in the application as Models Nos. 992, 993, 994 and 120B.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) Cole Hot Blast Manufacturing Company may sell, offer to sell, deliver or transfer the following models at prices no higher than those specified:

Model No. 992 @ $36.60 f. o. b. factory.
Model No. 993 @ $40.80 f. o. b. factory.
Model No. 994 @ $45.80 f. o. b. factory.
Model No. 120B @ $32.80 f. o. b. factory.

subject to discounts, allowances and terms no less favorable than those in effect with respect to the maximum prices of Models Nos. C903, C913, 972 and 205B, respectively, as established under Revised Price Schedule No. 64.

(b) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 4 shall become effective on the 12th day of June, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 10th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5455; Filed, June 10, 1942; 5:18 p. m.]

[1] 7 F.R. 1329, 1836, 2000, 2132.

ALLEN MANUFACTURING COMPANY

APPROVAL OF PRICES

Order No. 5 under Revised Price Schedule No. 64 [1] Domestic Cooking and Heating Stoves.

On April 6, 1942, Allen Manufacturing Company filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of maximum prices for two new models of wood and coal-burning stoves, designated in said application as models 42-16-c-3, and 42-16-c-10.

Due consideration has been given to the application and an Opinion has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) Allen Manufacturing Company may sell, offer to sell, deliver, or transfer model no. 42-16-c-3 at a maximum price of $21.99, f. o. b. factory and model no. 42-16-c-10 at a maximum price of $25.24, f. o. b. factory subject to discounts and allowances no less favorable than those in effect as to model 438-c-3 and model 438-c-10, respectively under § 1356.1 (d) of Revised Price Schedule No. 64.

(b) This Order No. 5 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to the terms used herein.

(d) Order No. 5 shall become effective June 12, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 10th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5456; Filed, June 10, 1942; 5:18 p. m.]

NORTHWESTERN STEEL AND WIRE COMPANY

[Docket No. 3006-4]

DENIAL OF EXCEPTION

The date of issuance for the document appearing on page 4359 of the issue for Tuesday, June 9, 1942, should read "June 6, 1942" instead of "June 16, 1942."

SECURITIES AND EXCHANGE COMMISSION.

CONSOLIDATED ELECTRIC AND GAS CO., ET AL.

[File No. 70-537]

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of June, A. D. 1942.

In the matter of Consolidated Electric and Gas Co., Commonwealth Public Service Corp., Lynchburg Gas Co., and Suffolk Gas Co.

Consolidated Electric and Gas Company, a registered holding company, and three of its subsidiary companies, Commonwealth Public Service Corporation, Lynchburg Gas Company, and Suffolk Gas Company, having filed joint declarations pursuant to the Public Utility Holding Company Act of 1935, particularly sections 12 (c) and 12 (b) and Rules U-42 and U-45 promulgated thereunder, regarding the following transactions:

Consolidated Electric and Gas Company will surrender for cancellation, as a contribution to capital, certain notes of its above-named subsidiaries. The notes to be acquired for retirement by the respective issuers include a 6% Demand Note of Commonwealth Public Service Company, in the amount of $13,500, a 6% Demand Note and two non-interest bearing Demand Notes of Lynchburg Gas Company, in the aggregate amount of $82,665 and two 5% Demand Notes of Suffolk Gas Company, in the aggregate amount of $13,500. The total capital contribution thus proposed to be made by Consolidated Electric and Gas Company to its three subsidiaries is $109,665.

Said declarations having been filed on April 25, 1942, and certain amendments having been filed thereto, the last of said amendments having been filed on May 26, 1942, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declarations within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit the said declarations pursuant to section 12 and rules U-42 and U-45 promulgated thereunder to become effective, and the Commission finding with respect to the said declarations under sections 12 (b) and 12 (c) of said Act that no adverse findings are necessary thereunder;

It is hereby ordered, pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid declarations be and hereby are permitted to become effective.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-5444; Filed, June 10, 1942; 3:29 p. m.]

[File Nos. 70-549, 70-551]

ASSOCIATED ELECTRIC COMPANY AND NY PA NJ UTILITIES COMPANY

ORDER POSTPONING DATE OF HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 8th day of June, A. D. 1942.

The Commission having on May 25, 1942, issued its Notice of filing and Order for hearing in the proceedings upon applications and declarations filed by Associated Electric Company and NY PA NJ Utilities Company pursuant to the provisions of sections 6 (a), 7, 9 (a), 10, 12 (c), 12 (d), and 12 (f) of the Public Utility Holding Company Act of 1935, and the said Notice and Order having set the matter down for hearing on June 11, 1942; and

NY PA NJ Utilities Company having requested that the hearing be postponed and having represented that Associated Electric Company has no objection to its request for continuance; and

The Commission being of the opinion that said request may appropriately be granted;

It is ordered, That the date of the hearing in this matter be, and it is hereby, postponed to June 24, 1942, at 10 A. M. at the offices of the Securities and Exchange Commission, located at 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated by the hearing room clerk.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-5445; Filed, June 10, 1942; 3:30 p. m.]

[File No. 70-527]

POTOMAC ELECTRIC POWER COMPANY AND WASHINGTON RAILWAY AND ELECTRIC COMPANY

ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 11th day of June, A. D. 1942.

A declaration or application (or both) having been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Potomac Electric Power Company and Washington Railway and Electric Company, and notice having been given of the filing thereof by publication in the FEDERAL REGISTER and otherwise as provided by Rule U-23 under said Act; and

Such declaration or application is summarized as follows:

Potomac Electric Power Company, a subsidiary of Washington Railway and Electric Company, a registered holding company and a subsidiary of The North American Company, a registered holding company, proposes to issue and sell to said Washington Railway and Electric Company 30,000 shares of common stock for cash at the par value of $100 per share. Washington Railway and Electric Company presently owns all of the 60,000 shares of issued and outstanding common stock, $100 par value, of Potomac Electric Power Company which had a surplus as at February 28, 1942 stated to be $29,178,229.90. Washington Railway and Electric Company would pledge the shares of Potomac Electric Power Company acquired in this transaction under the provisions of its consolidated mortgage or deed of trust dated March 1, 1902.

It appearing to the Commission that before it grants an exemption from section 6 (a) pursuant to section 6 (b) of the Act, for the issuance and sale of said shares of common stock, and approves the said acquisition thereof it is appropriate and in the public interest and the interest of investors and consumers that a hearing be held with respect to said declaration or application (or both) and that said declaration shall not become effective or said application be granted except pursuant to further order of the Commission;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the Rules of the Commission thereunder be held on June 17, 1942 at 2:00 P. M., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-5460; Filed, June 11, 1942; 9:46 a. m.]

[File No. 70-555]

CENTRAL MAINE POWER CO., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of June 1942.

In the matter of Central Maine Power Company, Cumberland County Power and Light Company, New England Industries, Inc., and New England Public Service Company.

Notice is hereby given that joint declarations and applications have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Central Maine Power Company ("Central Maine"), Cumberland County Power and Light Company ("Cumberland"), New England Industries, Inc. ("Industries"), and New England Public Service Company ("Nepsco"), the latter a registered holding company. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

I

Central Maine and Cumberland (both subsidiaries of Nepsco) propose to enter into an agreement of merger by which Central Maine will acquire all the assets and assume all of the liabilities of Cumberland and by which Central Maine will continue as the surviving corporation. Cumberland will dispose of all of its assets to Central Maine and will be merged into Central Maine.

A. It is proposed that Central Maine: (1) change and increase the common stock authorized by its charter from 150,000 shares of Common Stock, no par value, into 1,500,000 shares of Common Stock, $10 par value, of which 642,500 shares will be outstanding in the hands of the holders of the presently outstanding 140,000 shares of Common Stock, no par value; and change the voting power of the common stock so that each share of such Common Stock, $10 par value, will have one-fourth of a vote; (2) issue and sell for cash $14,500,000 in principal amount of First and General Mortgage Bonds of a new series, to be designated Series M (interest rate to be supplied by amendment); (3) issue and sell for cash $5,000,000 in principal amount of Ten-Year Serial Notes (interest rate to be supplied by amendment); (4) issue a presently undeterminable amount of $50 Preferred Stock, 5% Dividend Series, of which series 20,000 shares are presently outstanding.

B. It is further proposed that Central Maine: (1) assume the liability upon $9,275,000 in principal amount of First Mortgage Bonds, 3½% due 1966 and $1,494,000 in principal amount of First Mortgage Bonds, 4% due 1960 of Cumberland, and redeem and retire said Bonds at 105½% and 105% respectively; (2) redeem and retire all outstanding shares of Preferred Stock of Cumberland at their respective redemption prices, subject, however, to an offer of exchange to be made to the holders thereof under which such holders may elect to receive two shares of $50 Preferred Stock, 5% Dividend Series, plus two shares of Common Stock, $10 par value of Central Maine for each share of 6% Preferred Stock of Cumberland, or two shares of $50 Preferred Stock, 5% Dividend Series, plus one share of Common Stock, $10 par value, of Central Maine for each share of 5½% Preferred Stock of Cumberland. It is further proposed that Central Maine redeem or otherwise retire its presently outstanding 7% Preferred Stock in direct ratio to the par value of its $50 Preferred

Stock, 5% Dividend Series, issued in such exchange of Cumberland Preferred Stock.

C. It is further proposed: (1) that Central Maine issue and sell for cash 261,910 shares of Common Stock, $10 par value, at the price of $10 per share, and that Nepsco purchase such shares (less any shares taken by holders of Common Stock and 6% Preferred Stock of Central Maine upon the exercise of their respective preemptive rights); (2) that Nepsco tender for conversion its present holdings of 54,699 shares of Common Stock of Cumberland and 638 shares of 6% Preferred Stock of Central Maine and receive therefor 404,575 shares and 6,380 shares (total 410,955 shares) respectively of Common Stock, $10 par value, of Central Maine.

D. It is further proposed that Central Maine's bank loans (presently aggregating $2,650,000) be paid off and necessary funds provided for the purchase and construction of property with cash derived from the transactions described above.

E. It is proposed that proxies be solicited from the stockholders of Cumberland and Central Maine in connection with the merger described above.

II

Central Maine proposes to sell and Industries (a subsidiary of Nepsco) proposes to buy 1,000 shares of Prior Preferred Stock and 1,457 shares of Preferred Stock of Keyes Fibre Company (a subsidiary of Nepsco and Central Maine) for an aggregate cash consideration of $245,700.

III

Central Maine proposes to buy and Nepsco proposes to sell 300 shares of Common Stock of Nepsco Services, Inc., for $3,000; $6,000 in principal amount of 5% Debentures of Nepsco Services, Inc., for $6,000 plus accrued interest; 10 shares of Common Stock of Nepsco Appliance Finance Corporation for $100; 650 shares (constituting 100%) of the Common Stock of New England Pole and Treating Company for $110,000.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters, that said declarations shall not become effective nor said applications be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on such matters under the applicable provisions of said Act and rules of the Commission thereunder be held on June 30, 1942 at 10:00 o'clock, A. M. E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing, cause shall be shown why such declarations and applications shall become effective or shall be granted. Notice is hereby given of said hearing to the above-named declarants and applicants and to all interested parties, said notice to be given to said declarants and applicants by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of issues presented by said declarations and applications otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the issuance or sale by Central Maine of the aforementioned securities are solely for the purpose of financing the business of that company.

2. Whether the issuance or sale by Central Maine of the aforementioned securities have been expressly authorized by the State commission of the State in which that company is organized and doing business.

3. If it be found that the issuance or sale by Central Maine of the aforementioned securities are not solely for the purpose of financing the business of that company or have not been expressly authorized by the State commission of the State in which that company is organized and doing business, whether such transactions meet the requirements of section 7 of the Public Utility Holding Company Act of 1935.

4. Whether all acquisitions proposed meet the requirements of section 10 of the Public Utility Holding Company Act of 1935 and all rules and regulations promulgated thereunder.

5. Whether the increase in Central Maine's Common Stock and reduction in voting power from one vote to one-fourth vote per share will result in an unfair or inequitable distribution of voting power among holders of Central Maine's securities, or is otherwise detrimental to the public interest or the interest of investors and consumers.

6. Whether the proposed soliciting material is appropriate under the provisions of the Public Utility Holding Company Act of 1935 and whether the declaration with respect thereto should be permitted to become effective.

7. Whether the accounting entries to be made in connection with any or all of such proposed transactions are appropriate under the standards and requirements of the Public Utility Holding Company Act of 1935 and all rules and regulations promulgated thereunder.

8. Whether terms and conditions are appropriate in the public interest or for the protection of investors or consumers or are necessary to be imposed to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any rules, regulations or orders promulgated thereunder.

9. Generally, whether all actions proposed to be taken comply with the requirements of the Public Utility Holding Company Act of 1935 and rules, regulations or orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-5459; Filed, June 11, 1942; 9:46 a. m.]

WILLIAM J. STELMACK CORP.

ORDER REVOKING REGISTRATION AND EXPELLING RESPONDENT FROM NATIONAL SECURITIES ASSOCIATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of June A. D., 1942.

In the matter of William J. Stelmack Corporation, 70 Pine Street, New York, N. Y.

Proceedings having been instituted pursuant to sections 15 (b) and 15A (*l*) (2) of the Securities Exchange Act of 1934 to determine whether the registration of William J. Stelmack Corporation should be suspended or revoked, and whether it should be suspended or expelled from the National Association of Securities Dealers, Inc., a registered securities association; hearings having been held after appropriate notice; and

The Commission having duly considered the entire record of these proceedings and having made its findings, as set forth in its Findings and Opinion subsequently to be filed herein; the Commission having found that the said William J. Stelmack Corporation wilfully violated section 17 (a) of the Securities Act of 1933, section 15 (c) (1) of the Securities Exchange Act of 1934 and Rule X-15C1-2 thereunder, and section 17 (a) of the Securities Exchange Act of 1934 and Rules X-17A-3 and X-17A-4 thereunder, and that it is necessary and appropriate in the public interest to revoke the registration of the said William J. Stelmack Corporation, and that it is necessary and appropriate in the public interest and for the protection of investors and to carry out the purposes of section 15A of the Securities Exchange Act of 1934 that it be expelled from the National Association of Securities Dealers, Inc.; and deeming it in the public interest and for the protection of investors that the record of these proceedings be made public;

It is ordered, That the record of these proceedings be made public;

It is further ordered, on the basis of such findings, pursuant to sections 15 (b) and 15 A (*l*) (2) of the Securities Exchange Act of 1934, that:

1. The registration of the said William J. Stelmack Corporation as a broker and dealer be, and the same hereby is, revoked; and

2. The said William J. Stelmack Corporation be, and it hereby is, expelled from the National Association of Securities Dealers, Inc.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

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